

8. SITE ASSESSMENT REPORT

SB 257 Section 4(2)(I), 5(2)

8.1 Description of the Proposed Facility - SB 257 5(3)(a)

The proposed Thoroughbred Generating Plant is a net, nominal 1,500 MW pulverized coal fueled plant proposed for construction in Muhlenbreg County, approximately one and one-half miles northeast of Central City, shown on the Site Location Map following this section. The site is part of the Peabody Coal Company Gibraltar Mining Complex. The majority of the approximately 4,100 acres delineated for the power plant complex has been previously disturbed by surface mining and/or facilities for underground mining. Much of the area was mined prior to the enactment of surface mine reclamation laws therefore it has not been reclaimed for productive use. The construction of the Thoroughbred Plant will improve the site and return this post mined land to a beneficial use.

Construction of the plant will take approximately 41 months for the first unit and an additional six months to complete the second unit. The project is projected to have an on-line date in mid 2008 to early 2009.

8.2 Property Description – SB257 Section 5(3)(a)

8.2.1 Surrounding Land Use SB 257 5(3)(a)(1)

A land use map based on United States Geological Survey Land Use and Land Cover Classifications is attached. The adjacent land has been used primarily for surface mining and ancillary facilities.

8.2.2 Legal Boundaries of the proposed site SB 257 5(3)(a)(2)

The proposed site is made up of approximately 4,100 acres contained within numerous parcels currently owned by Peabody Energy, Thoroughbred's parent, or its subsidiaries. The stacks are located at latitude 37-18-53.06 NAD 83, longitude 87-5-22.58. The properties delineated for the plant and facilities are shown on the property ownership map. The legal description is included in this section. Copies of the property deeds are included in a separate binder Labeled – Property Deeds SB257 5(3)(a)(2).

8.2.3 Access Control SB 257 5(3)(a)3

Access to the Thoroughbred Plant will be from US Hwy 62. An entrance will be constructed as approved by the Kentucky Department of Transportation including turning lanes into the facility. Details of the entrance design are included in Section 8.6 attached.

A security building will be located on the entrance road, as shown on the Site Location Map in Section 8.1. The building is located far enough from US Hwy 62 to eliminate any potential traffic hazards as cars enter the facility. Only authorized persons showing proper identification will be allowed to enter the

plant. All visitors will be required to sign-in at the security building following confirmation of their appointment. The security building will have ample visitor parking to minimize delay of entry for plant employees. The security building will be manned twenty-four hours per day, 365 days per year.

The power plant facilities and Special Waste Landfill will be surrounded by cyclone wire fence, a minimum of six foot high. Access will be solely through attended or locked gates. The outer property boundary will be delineated with periodic no trespassing signs. There will be no public roads within the site.

8.2.4 Location of Buildings SB257 5(3)(a)4

The plant will include approximately thirty-five buildings of various types. A list of the primary buildings is as follows:

- Boiler Building for Unit 1
- Boiler Building for Unit 2
- Turbine Building
- Transformer Building
- Auxiliary Boiler Building
- Machine Shop/Plant Services Building
- Cooling Tower Building
- Material Handling Building
- Guardhouse
- Fire Water Pump Building
- Administration Building
- Water Treatment Building
- Coal Handling Transfer/Crusher Building
- Flammable Storage Building
- Switchyard Relay House
- Warehouse
- Ash & Gypsum Buildings
- Wet Electrostatic Precipitator
- Ball Mill & Limestone Slurry Pump Building
- Vacuum Pump & FGD Electrical Building

All buildings are shown on 8.2.4 Pulverized Coal Generating Plant Location & Building Plan.

8.2.5 Location of Access Way and Internal Roads SB257 5(3)(a)5

Inside the power plant fence will be a number of roads and parking areas. All roads internal to the plant will be asphalt paved. These roads will be for employee access, supply deliveries, maintenance access, and general plant access.

The site will also have rail access for delivery of equipment, construction materials, limestone, ammonia, and other various plant supplies shipped in bulk. The Paducah and Louisville Railroad (P&L) currently bisects the plant property. A

rail spur will be constructed into the plant according to P&L standards. Both roads and rail access are shown on 8.2.5 Access Roads & Rail Siding Map.

The plant will also be capable of taking barge deliveries from the Green River of construction materials and limestone during plant operation. The barge unloading facility will be constructed in the existing Peabody Coal Company Gibraltar slip, minimizing congestion on the Green River.

8.2.6 Utilities to Serve the Facility SB 257 5(3)(a)6

The plant site currently has electric and phone service available. Potable water and sewer service will be extended to the plant site by agreement with Central City (see attached letter from Central City Municipal Water and Sewer System). Central City will only provide water for consumption and showers. Plant cooling water will be withdrawn directly from the Green River. The connection for both potable water and sewer will be made on Hwy 277 near the Green River Correctional Facility. All existing and proposed utility locations are shown on the Site Location Map in Section 8.1.

8.2.7 Compliance with Setback Requirements 5(3)(a)7

KRS Chapter 278 new section

(2) "...unless the exhaust stack of the proposed facility is at least one thousand (1,000) feet from the property boundary of any adjoining property owner and two thousand (2,000) feet from any residential neighborhood, school, hospital or nursing home facility."

The exhaust stack of the Thoroughbred Generating Station will not be closer than 1,000 feet from any property boundary. There are no residential neighborhoods, schools, hospitals, or nursing home facilities within 2,000 feet of the exhaust stack location.

The Site Location Map, contained in Section 8.1, shows the relationship between the stack and the nearest inhabited structures, parks, and schools.

8.1 Site Location Map

2 mile radius

SB 257 4(2)(b)

**CLASSIFIED DOCUMENT
(withheld by Siting Board)**

8.2.1 Surrounding Land Use

SB 257, Section 5(3)(a)1

8.2.1 Land Use Map

Thoroughbred Generating Station

SB 257 5(3)(a)(1)

**CLASSIFIED DOCUMENT
(withheld by Siting Board)**

SURROUNDING LAND USES

PROPOSED THOROUGHBRED MERCHANT PLANT FACILITY

MUHLENBERG COUNTY, KENTUCKY

PREPARED BY:

G. HERBERT PRITCHETT & ASSOC. INC.
222 UNION STREET
MADISONVILLE, KENTUCKY 42431

Date of Report:

July 9, 2003

<i>Map Index No.</i>	<i>PVA Map No.</i>	<i>Owner</i>	<i>Land Size (acres)</i>	<i>Land Use</i>
2937	141-04-07-012.001	P&L Railway Inc.	55	Industrial/Railroad
2939	141-00-00-001	Peabody Energy	N/A	Industrial/Mining
1973	141-00-00-003.002	Commonwealth of KY.	17	Spec. Purp./Corr. Fac.
1849	140-00-00-030	Peabody Energy	65	Industrial/Mining
2938	140-00-00-043	Peabody Energy	N/A	Industrial/Mining
1872	140-00-00-051	River Road Cemetery	N/A	Spec. Purp./Cemetery
1889	140-00-00-064	Mrs. Edwin E. Doss	5	Vacant/Residential
1885	140-00-00-062	Connie King	4	Residential
1892	140-00-00-066	Peabody Energy	N/A	Industrial/Mining
1893	140-00-00-067	Jonathan Bowles	1	Residential
2936	140-00-00-068	Peabody Energy	N/A	Industrial/Mining
2941	158-00-00-005	Peabody Energy	N/A	Industrial/Vacant/Mining
2218	158-00-00-004.000	Peabody Energy	N/A	Agricultural/Mining
2940	158-00-00-002	Peabody Energy	N/A	Industrial/Vacant/Mining
2942	158-00-00-008	Peabody Energy	N/A	Industrial/Vacant/Mining
2943	158-00-00-009	Peabody Energy	N/A	Industrial/Vacant/Mining
2944	158-00-00-016	Peabody Energy	N/A	Industrial/Vacant/Mining
2945	158-00-00-017	Peabody Energy	N/A	Industrial/Vacant/Mining
3115	173-00-00-064	Peabody Energy	N/A	Industrial/Mining
3034	173-00-00-028	Harold Dean Huff	N/A	Residential
3113	173-00-00-022	Peabody Energy	N/A	Industrial/Mining
3065	173-00-00-055	Ray Foster	Lot	Vacant/Residential
3114	173-00-00-057	Peabody Energy	N/A	Industrial/Mining

3074	173-00-00-063	Sam Ray Stone	13	Residential
3092	174-00-00-004.001	Edward Ray & Jamie Lynn Austin	7	Residential
3092	174-00-00-004-001M	Edward Ray & Jamie Lynn Austin	N/A	Residential
3098	174-00-00-009	L.E. & B.A. Summers	1	Vacant/Residential
3099	174-00-00-009.001	Ronnie & Carolyn McDonald	0	Vacant/Residential
3097	174-00-00-008	Ronnie McDonald	N/A	Residential
3096	174-00-00-007	Nelson Creek Baptist Church	N/A	Spec. Purp./Church/Cemetery
3116	174-00-00-002	Peabody Energy	N/A	Industrial/Mining
2958	159-00-00-001	Rogers Coal	140	Industrial/Mining
2935	159-00-00-006	Peabody Energy	N/A	Industrial/Mining
3091	174-00-00-04.00	William C. Peveler	Lot	Residential
3117	159-00-00-001.001	Peabody Energy	N/A	Industrial/Mining

8.2.2 Legal Boundaries

SB 257 Section 5(3)(a)2

8.2.2 Legal Boundary SB 257 5(3)(a)2

Thoroughbred Generating Company LLC Site Boundary Legal Description

Beginning at the starting point with a coordinate of N 37d 18' 25" lat., W 87d 05' 33" long.; thence S 60°40' W a distance of 3698.7 feet; thence N 40°45' W a distance of 3246.1 feet; thence N 04°08' E a distance of 3100.1 feet; thence N 00°44' W a distance of 913.1 feet; thence S 89°51' W a distance of 1120.8 feet; thence N 82°48' W a distance of 829.2 feet; thence S 79°05' W a distance of 198.7 feet; thence S 67°51' W a distance of 410.7 feet; thence N 80°39' W a distance of 202.4 feet; thence N 59°48' W a distance of 392.0 feet; thence N 53°26' W a distance of 585.5 feet; thence N 50°32' E a distance of 315.5 feet; thence N 42°31' E a distance of 343.9 feet; thence N 32°29' E a distance of 677.4 feet; thence N 26°37' E a distance of 733.2 feet; thence S 82°02' E a distance of 237.4 feet; thence S 27°17' W a distance of 1092.9 feet; thence S 37°45' W a distance of 876.3 feet; thence S 54°16' E a distance of 315.5 feet; thence S 66°29' E a distance of 418.7 feet; thence N 66°55' E a distance of 484.8 feet; thence S 85°33' E a distance of 615.2 feet; thence N 55°39' E a distance of 314.0 feet; thence N 78°11' E a distance of 222.1 feet; thence N 87°47' E a distance of 921.0 feet; thence N 71°26' E a distance of 349.4 feet; thence N 62°26' E a distance of 620.2 feet; thence S 84°03' E a distance of 536.4 feet; thence N 71°49' E a distance of 372.6 feet; thence N 87°47' E a distance of 131.6 feet; thence S 79°37' E a distance of 336.7 feet; thence N 68°28' W a distance of 2391.0 feet; thence N 60°41' E a distance of 1737.4 feet; thence N 57°56' E a distance of 1194.0 feet; thence N 37°58' E a distance of 680.9 feet; thence S 66°05' E a distance of 3091.2 feet; thence S 80°48' E a distance of 2844.2 feet; thence S 10°07' E a distance of 1034.3 feet; thence S 38°05' W a distance of 908.4 feet; thence S 73°13' W a distance of 837.6 feet; thence S 26°17' E a distance of 2813.7 feet; thence N 71°46' E a distance of 1965.2 feet; thence N 37°43' E a distance of 438.0 feet; thence N 28°15' E a distance of 2379.9 feet; thence N 33°23' E a distance of 429.2 feet; thence N 47°48' E a distance of 155.9 feet; thence N 55°37' E a distance of 2580.1 feet; thence N 56°45' E a distance of 562.8 feet; thence N 65°20' E a distance of 314.2 feet; thence N 82°24' E a distance of 78.4 feet; thence S 07°45' W a distance of 3230.4 feet; thence N 76°33' W a distance of 283.6 feet; thence S 06°27' W a distance of 432.8 feet; thence S 64°41' W a distance of 583.1 feet; thence S 52°35' E a distance of 1582.8 feet; thence S 01°11' W a distance of 516.6 feet; thence S 46°08' W a distance of 201.0 feet; thence S 40°27' W a distance of 132.7 feet; thence S 32°51' W a distance of 283.8 feet; thence S 24°02' W a distance of 305.7 feet; thence S 21°05' W a distance of 189.2 feet; thence S 30°26' W a distance of 243.8 feet; thence S 54°05' W a distance of 160.0 feet; thence S 58°48' W a distance of 311.8 feet; thence S 53°22' W a distance of 203.5 feet;

thence S 36°13' W a distance of 98.5 feet; thence N 58°17' W a distance of 184.8 feet; thence S 33°22' W a distance of 95.8 feet; thence S 56°37' E a distance of 104.0 feet; thence N 33°20' E a distance of 74.9 feet; thence S 58°30' E a distance of 82.9 feet; thence S 28°07' W a distance of 385.8 feet; thence S 13°06' W a distance of 1240.6 feet; thence S 34°57' W a distance of 337.7 feet; thence S 55°19' W a distance of 299.8 feet; thence S 43°00' W a distance of 611.7 feet; thence S 65°46' W a distance of 1072.5 feet; thence S 79°51' W a distance of 418.8 feet; thence S 67°35' W a distance of 258.5 feet; thence S 45°16' W a distance of 1010.9 feet; thence S 56°34' W a distance of 185.1 feet; thence S 77°43' W a distance of 289.9 feet; thence S 69°58' W a distance of 514.6 feet; thence S 80°51' W a distance of 463.6 feet; thence S 64°33' W a distance of 128.6 feet; thence S 46°08' W a distance of 255.6 feet; thence S 17°11' W a distance of 1100.7 feet; thence S 26°13' W a distance of 877.1 feet; thence N 45°15' W a distance of 1070.8 feet; thence N 21°18' W a distance of 5061.2 feet; to the point of beginning, having an area of 2717.1 acres

SOURCES OF TITLE

Property acquired as follows, all references being to the Office of the Muhlenberg County Clerk:

- Ayrshire Collieries Corporation to Gibraltar Coal Corporation by deed dated November 9, 1955, of record in Deed Book 195, page 5;
- Peabody Coal Company, an Illinois corporation, to Peabody Coal Company, a Delaware corporation, by deed dated March 29, 1968, of record in Deed Book 264, page 1;
- Articles of Merger of Gibraltar Coal Corporation into Peabody Coal Company, dated July 13, 1986, of record in Miscellaneous Book 19, page 297;
- AMAX, Inc. to Peabody Coal Company, by Deed dated October 19, 1987, of record in Deed Book 384, page 652;
- Peabody Coal Company to Peabody Development Company, by deed dated March 2, 1989, of record in Deed Book 393, page 492;
- Peabody Coal Company to Peabody Development Company, by deed dated September 12, 1989, of record in Deed Book 398, page 37;
- Peabody Development Company to Peabody Coal Company, by deed dated June 9, 1998, of record in Deed Book 459, page 700;
- Peabody Development Company to Peabody Coal Company, by deed dated August 4, 1999, of record in Deed Book 468, page 775;
- Peabody Development Company to Peabody Coal Company, by deed dated March 3, 2003, of record in Deed Book 495, page 112.

TEC SURFACE DESCRIPTIONS

Greenville Coal Co. to Wickliffe Coal Co.

016-034(T15)(P8)

100 ACRES LESS APPROX. 7.78 ACRES

Beginning at two Maples, Benjamine Young's corner; running thence with Young's line S. 89 E. 180 poles to two Beeches, his corner, crossing Nelson Creek at 36 poles, at 40 poles and at 52 poles; thence due South 60 poles to the I.C. Railroad; thence with the Railroad Southwest 30 poles to a rock in Joseph Heck's line; thence due West 170 poles to a Sweet Gum; thence due North 90 poles to the beginning, containing 100 acres.

There is excepted from this 100 acre conveyance so much thereof as is a part of the following 27.53 acre description:

Beginning at a rock corner (formerly a sweet gum) being the southwest corner of parcel 8 tract 15 of a certain deed from Greenville Coal Company to W. A. Wickliffe Coal Company dated November 14, 1947 and recorded in Deed Book 164, page 199 of the Muhlenberg County Court Clerk's office; thence N 6-30 E for 126.4 feet; thence S 83-00 E for 5404 feet; thence S 24-05 W 883 feet to a point in the north line of the Heck Tract; thence with Heck's line N 52-50 W for 1423 feet to a rock Muir's corner thence N 83-10 W 2124 feet passing the center line of the Illinois Central Railroad at 1098 feet, thence N 83-15 W for 1788 feet to the place of beginning. Containing 27.53 acres more or less.

Greenville Coal Co. to Wickliffe Coal Co.

016-034(T15)(P9)

161 ACRES LESS APPROX. 19.75 ACRES

Beginning at a rock at a right-of-way of the Railroad and in Muir's line; thence S. 88 E. 64 poles to a rock, Muir's beginning corner; thence S. 48 E. 100 poles to three Beeches near a Copperas Spring; thence N. 37 E. 76 poles to a large Black Oak and Gum; thence N. 3 E. 178 poles to a rock, a Beech called for; thence N. 53 W. 30-1/2 poles to a sycamore near a culvert; thence with the railroad S. 53 W. 138 poles; thence S. 33 W. 28 poles; thence S. 24 W. 46 poles to the beginning containing 161 acres.

There is excepted from this 161 acre tract so much thereof as is a part of the following 27.53 acre description:

Beginning at a rock corner (formerly a sweet gum) being the southwest corner of parcel 8 tract 15 of a certain deed from Greenville Coal Company to W. A. Wickliffe Coal Company dated

November 14, 1947 and recorded in Deed Book 164, page 199 of the Muhlenberg County Court Clerk's office; thence N 6-30 E for 126.4 feet; thence S 83-00 E for 5404 feet; thence S 24-05 W 883 feet to a point in the north line of the Heck Tract; thence with Heck's line N 52-50 W for 1423 feet to a rock Muir's corner thence N 83-10 W 2124 feet passing the center line of the Illinois Central Railroad at 1098 feet, thence N 83-15 W for 1788 feet to the place of beginning. Containing 27.53 acres more or less.

Greenville Coal Co. to Wickliffe Coal Co.

016-034((T15)(P10))

96-4/10 LESS 1 ACRE

Beginning at a rock, Young's corner; thence E. 57 poles to a stake; thence S. 143-1/2 poles to a Beech on the bank of a creek; thence N. 56 E. 30 poles to a stake; thence S. 89 E. 48 poles to a Sweet Gum and Walnut, two poles from the center of the I.C. Railroad; thence parallel with the railroad S. 47 W. 160 poles near the beginning of a curve; thence parallel with the railroad S. 24 W. 28 poles to a Gum; thence North 270 poles to the beginning, containing 96-4/10 acres.

Less and excepting the following 1 acre portion:

Beginning on the north side of P&E R.R. where the Duncan and Davis lines intersect the same running due north about two hundred feet to a beech Mary Wilson's corner; thence down the creek with the meanders of same a southerly course to where the creek should and originally did cross the railroad right-of-way; thence with railroad right-of-way to the beginning containing one acre, more or less.

Greenville Coal Co. to Wickliffe Coal Co.

016-034(T15)(P11)

208.4 LESS 130 ACRES

Beginning at a rock and Black Gum; thence S. 108 poles and 4 links to a rock; thence S. 86½ E. 84 poles and 17 links to a rock; thence S. 7 W. 137 poles and 10 links to a small Hornbeam; thence N. 80½ W. 101 poles and 15 links to three small sweet gums; thence S. 60 poles to a White Oak; thence S. 12 E. 12 poles to two Maples on a bank of a branch; thence E. 131 poles to two White Oaks and an Elm; thence N. 160 poles to a rock; thence E. 40 poles to a rock; thence N. 68 W. 70 poles to a rock; thence _____ 50 poles to the beginning, containing 208-4/10 acres.

LESS AND EXCEPTED the following surface tract:

Beginning at John Bradley's corner on the bank of the creek a white oak and water beech running thence with his line due North 52 poles to a hickory and white oak William Benton's corner; thence with his line due West 140 poles to an ash, black oak and hickory John Fisher's corner; thence with his line due South 90 poles to a white oak and elm; thence due East 96 poles to a white oak and sweet gum; thence due South 20 poles to an elm, birch and black gum standing in Henry Davis' line; thence with his line North 88 E 32 poles to two maples his corner; thence with his line South 4 E 12 poles to two maples standing in said line on the bank of a small branch; thence due East 156 poles to two white oaks and an elm standing in Austin and Roberts military line; thence with same North 68 poles to a beech, hickory and gum standing in said military line and corner to John Bradley survey; thence with said Bradley line due West 116 poles to the beginning containing 130 acres by survey.

Greenville Coal Co. to Wickliffe Coal Co.

016-034(T15)(P12)

138-3/4 ACRES

Beginning at a rock, formerly a Black Oak, Wilson's corner, running thence N. 82 W. 106 poles to a small White Oak, corner to the 73-3/4 acres set apart to Elizabeth B. Hendricks; thence with her line S. 210 poles to a Water Oak, two Gums markers as pointers in the McLean line, corner to said 73-3/4 acres; thence E. 106 poles to a stake in the McLean line; thence with the Wilson line N. 200 poles to the beginning, containing 138-3/4 acres.

Greenville Coal Co. to Wickliffe Coal Co.

016-034(T15)(P14)

46 ACRES

Beginning at a rock, Casebier's corner on Sharp's line on the side of the road; thence S. 81 E. 120 poles to a rock, Sharp's corner; thence S 18 W 18 poles to a stake; thence S 29-3/4 W 40 poles to a stake, Withrow's corner; thence with his line N 89 W. 108 poles to a stake; thence N 13 E (original call W) 72 poles to the beginning, containing 46 acres.

Greenville Coal Co. to Wickliffe Coal Co.

016-034(T15)(P15)

50 ACRES LESS 3-1/3 ACRES

Beginning at a rock, Paget's corner; thence S 89 degrees E 174 poles on McLean's line to a rock; thence N 29-3/4 E 46 poles to a rock; thence N 88 degrees W 188 poles to a rock in Paget's line; thence with his line S 8 degrees and 30 minutes W 45 poles to the beginning, containing 50 acres.

07/10/03

There is excepted from this tract the following surface tract of 3-1/3 declared acres:

Surface rights to three and one-third acres of land situated in Muhlenberg County, State of Kentucky, North of the I. C. Railroad, and taken off of the North West corner of a fifty acre survey known as the Withrow tract of land, which was conveyed to the party of the first part on the 27th day of April, 1912 by the Central Coal & Iron Company by deed of record in the Muhlenberg County Clerk's Office in deed book 86, page 7. Beginning at a stone running South 8 degrees and 45 minutes, West, 608 feet to a stake on the road; thence following the road North 60 degrees and 39 minutes, East 181 feet, North 44 degrees and 3 minutes, East, 96 feet, North 41 degrees and 18 minutes, East, 213 feet, North 50 degrees and 19 minutes, East 164 feet, North 18 degrees and 39 minutes, East, 145 feet to a point on the road in the Northern line of same tract; thence North 84 degrees and 45 minutes, West 447 feet to the beginning.

Greenville Coal Co. to Wickliffe Coal Co.

016-034(T15)(P16)

100 ACRES LESS 52 ACRES

Beginning at a marked A on the plat, a stake on Coppage's line, a large red oak and white oak sapling marked as pointers; thence with his line N 71 E 112 poles to a rock, Staples corner, rock gone; thence N 37 E 118 poles to a stake on Casebier's line; thence with his line N 47 W 59 poles to a rock, Sharp's corner; thence N 80 W 63 poles to a rock Sharp's corner, near the corner of his yard; thence S 22 W 177 poles to a rock, Sharp's corner; thence S 18 W 18 poles to the beginning, containing 100 acres.

LESS and EXCEPTED from the above boundary the following surface tract:

Beginning at a rock William Sharp's Northeast corner running thence with the public road S. 21 degrees, 50 minutes W. 158.5 ft., S. 5 degrees 13 minutes E. 246 ft., S. 0 degrees 9 minutes W. 577 ft., S. 19 degrees, 22 minutes E. 156.5 ft., S. 22 degrees 40 minutes W. 255.5 ft to a stake or rock on the E. side of the road; thence S. 47 degrees E. 1120 ft., to a point in Staple's line which is North 39 degrees, 45 minutes E. 395 ft. from his corner a small Ash; thence N. 39 degrees, 45 minutes E. 1930 ft. to a rock Staples and Harper's corner; thence N. 43 degrees 45 minutes W. 951 ft. to a rock near the road Harper's corner; thence N. 77 Degrees 4 minutes W. 1057 ft. to the beginning containing 52 acres.

125 ACRES LESS 50 ACRES

Beginning at a planted rock on the north bank of Nelson Creek and running thence up the Creek with its meanders N 65 E 4 poles; N 43 E 8 poles; N 15 E 12 poles; S 38 E 8 poles; N 61 E 6 poles; S 70 E 5 poles; N 7 E 6 poles; E 12 poles; N 14 poles; N 55 E 6 poles; S 70 E 6 poles; N 40 E 14 poles; S 65 E 4 poles; N 55 E 4 poles; N 16 E 6 poles; N 60 E 6 poles; N 32 E 6 poles; S 50 E 8 poles; N 55 E 8 poles; N 35 E 10 poles; S 55 E 8 poles; N 60 E 6 poles; S 80 E 12 poles; S 45 E 10 poles; N 45 E 4 poles; N 15 E 6 poles; N 85 E 4 poles; S 30 E 6 poles to a willow in the right of way of the I.C. Railroad; thence with the line of the Railroad N 50 E 14 poles; N 55 E 10 poles; N 60 E 18 poles to a planted rock on the north side of the Railroad and in the Duncan line; thence with said line N 3 E 98 poles to a rock; thence with the Young line N 87½ W 168 poles to a rock, Young's corner; thence with Young's line S 3 W 146 poles to the beginning, containing 125 acres, from which boundary, however, is reserved 50 acres bounded as follows:

Beginning at a rock on the north side of Nelson Creek, Young's corner; thence with this line N 3 E formerly due N 146 poles to a rock, another corner of Young's land; thence with another of Young's lines S 87 ½ E formerly due E 57 poles to a walnut; thence S 3 W formerly due S 143 ½ poles to a large beech on the Creek; thence down the Creek with its meanders to the beginning, containing 50 acres, which 50 acres are herein conveyed to the party of the second part by the party of the first part and embraced in tract #10, leaving 75 acres, the residue of said tract which is hereby conveyed to the party of the second part and which is the same tract of land which was on the 29th day of November 1898 conveyed to the said Central Coal & Iron Company by Mary E. Wilson and her husband.

106.98 LESS 3.0, 2.0, 1.96 AND 4.0 ACRES

Beginning at an iron pin on the west side of the Hartford Road at the corner of garden fence, the old Coleman Duncan corner; thence with an old line, plainly marked S. 74 degrees 30 minutes W. nineteen hundred and forty-five ft. (1945') to an iron pin at old poplar and beech, now down, Duncan's old corner in Mrs. McLean's line; thence S. 2 degrees five minutes W with Mrs. McLean's line twenty-five hundred and seventy-three (2573) feet to an iron pin at two old black gums and two old black oaks, the old corner; thence S 32 degrees, 30 minutes E one hundred and

eighty-one and one half (181.5) feet to an iron pin at a black oak (now gone) on edge of drain; thence S 89 degrees, 30 minutes E. eight hundred and forty and six tenths (840.6) feet to an iron pin in W. E. Frost's line (purchased from Vick) thence N 5 degrees W with said Frost's line three hundred and fifty (350) feet to an iron pin at Frost's corner a small black oak thence with his line S 86 degrees E four hundred and fifty (450) feet to Frost's corner on the Hartford Road, an iron pin and a small dogwood; thence with the Hartford Road and following the meanders of the same, N. 15 degrees E two hundred (200) feet; thence N 48 degrees, 30 minutes E four hundred and sixty-two (462) feet; thence N 11 degrees W seventy-three (73) feet; thence N 33 degrees W two hundred and ten (210) feet; thence N 10 degrees 30 minutes W four hundred and eight-five (485) feet; thence N 25 degrees 30 minutes E two hundred and twenty-three (223) feet; thence N 14 degrees 30 minutes E two hundred (200) feet thence N 11 degrees, 30 minutes E two hundred and ten (210) feet; thence N 3 degrees, 30 minutes E four hundred and forty (440) feet; thence N 25 degrees E three hundred and fifty (350) feet; thence N 9 degrees 35 minutes E two hundred and fifty (250) feet to the beginning, containing one hundred and six and ninety-eight hundredths (106.98) acres, more or less.

LESS AND EXCEPTED the following surface tracts:

TRACT 1: Beginning at a Poplar stump on the road, corner to a 27 acre tract owned by the Nelson Creek Coal Company, running thence with said public road South 25 degrees 50 minutes West 398 feet to a stake, corner to a 2 acre lot this day sold to the County Board of Education; thence with a line of same North 74 degrees 15 minutes West 667 feet to a stake; running thence with a line of the Nelson Creek Coal Company 27 acre tract North 78 degrees East 832 feet to the beginning. Containing 3 acres.

TRACT 2: Beginning at a stake on the West side of the Nelson and Central City road, corner to a lot this day sold to L. E. Garrett & Company, running thence with said road South 13 degrees 45 minutes West 300 feet to a stake in the line of the L. E. Garrett & Company tract; thence with a line of same South 74 degrees 15 minutes East 300 feet to the beginning, containing two acres.

TRACT 3: A certain tract of ground located in Muhlenberg County, Kentucky, on the West side of Highway 1329 2,000 feet North of the intersection with U. S. Highway 62 and described as follows:

Beginning at an iron pin in Highway 1379 West right of way line, 35 feet from the highway centerline. The beginning corner being a

common corner with Bessie Goff and having Peabody Gibraltar Mine Coordinates of North 36,670.59 and East 18,329.15. From the beginning thence N 83° 06' 08" W – 244.47 feet with an existing fence line, a common line with Bessie Goff, to an iron pin by a corner post; thence with a new line N 21° 38' 38" E – 160.21 feet to an iron pin in the center of a small ditch, a new corner; thence with a new line N 43° 17' 56" – 246.76 feet to an iron pin by a 6" black oak, a new corner; thence S 59° 23' 53" E – 246.35 feet to an iron pin in the West right of way line of Highway 1379, a new corner; thence with the right of way line S 43° 55' 02" W – 207.30 feet to an iron pin 35 feet from the center line of the highway; thence continuing with the right of way line S 32° 56' 50" W-99.05 feet to the beginning, containing 1.96 acres.

TRACT 4: Beginning at an iron pin on the west right of way of Kentucky 1379 one-half mile from Nelson in Muhlenberg County, Kentucky, and referenced N 27° 13' 56" W 61.65 feet from Peabody Coal Station MW23; thence N 85° 35' 33" W 429.08 feet to another iron pin, this survey; thence S 4° 24' 27" W 430.00 feet to another iron pin, this survey; thence S 85° 35' 33" E 429.08 feet to another iron pin, this survey, in the right of way of said highway; thence with said right of way to the beginning and containing 4 acres, as per map or plat prepared by B. Nance, dated November 8, 1985, and appended hereto as an exhibit.

Greenville Coal Co. to Wickliffe Coal Co.

016-034(T15)(P20)

3.6 ACRES

Beginning at an iron pin at a poplar and beech now down, Coleman Duncan's old corner with Wm. McLean's and second corner of the first tract mentioned in this deed; thence N. 6 E 585 feet to an iron pin at three small gums on edge of N.N. & M. railroad right-of-way; thence in a Southwesterly direction or a 3° 30' corner following said right-of-way 690 feet to an iron pin opposite the west side of a culvert in said railroad near a small willow now down; thence S 69° 30' E 541 feet to the beginning containing three and six tenths (3.6) acres, more or less.

Greenville Coal Co. to Wickliffe Coal Co.

016-034(T15)(P22)

168 ACRES LESS 1 ACRE AND 2 ACRES

Beginning at a rock, Wilson's corner to the Railroad; running thence N 1 E 166 poles to a formed white oak, old black oak down; thence N 71 E 132 poles to three post oaks, Staples' corner; thence S 30 E 112 poles to a black oak on the Ceralvo road, Thompson's corner; thence with Thompson's line of the Ceralvo road S 31 W when reduced to a straight line 118 poles to

07/10/03

the railroad; thence with the railroad N 85 W 20 poles; S 85 W 26 poles; S 75 W 26 poles; S 70 W 38 poles to the beginning, containing 168 acres.

LESS AND EXCEPTED, however, the following surface tracts:

1. Beginning at a rock in the right-of-way line of the Illinois Central Railroad, and also in the center of the Ceralvo and Central City public road, running thence N. 21-30 E. 153 feet to a rock at the intersection of the Ceralvo and Greenville Coal Company Farm Road; thence with said farm road N. 65-05 W. 245 feet to a stake; thence S. 21-30 W. 206 feet to a stake in the line of the Illinois Central Railroad right-of-way; thence S. 76-50 E. 245 feet to the beginning, containing one acre.

2. Beginning at a stake, White's Northwest corner on the Nelson-Kincheloe Bluff Road; thence with the road N 67-15 W. 388.0 feet to a stake; thence N 21-30 E. 225.0 feet to a stake; thence S. 67-15 E. 388.0 feet to a stake; thence with Garrett's and White's line S 21-30 W. 225.0 feet to the beginning, containing 2 acres.

Faught to Wickliffe Coal Co.

016-053

119.04 ACRES

Beginning at a maple, running thence north 1/2 degree east 942 feet to three sweet gums on bank of creek; thence south 84 degrees 45 minutes east 1642 feet to a hornbeam on creek bank; thence north 6-3/4 degrees east 2286 feet to a rock; thence north 86-1/2 degrees west 1405 feet to a rock, not found, Hill's corner; thence south 4 degrees west 1320 feet to a rock; thence north 88 degrees 40 minutes west 1481 feet to a rock and hickory; thence south 1498 feet to a rock, Slaton's corner; thence south 87-1/2 degrees east 492 feet to a white oak and sweet gum; thence south 4-3/4 degrees east 390 feet to an elm and black gum; thence north 87-1/2 degrees east 507 feet to a maple, the beginning, corner, containing 119.04 acres, more or less.

Byers to Wickliffe Coal Co.

016-054(T1)

130 ACRES LESS 50 ACRES

Beginning at John Bradley's corner on the bank of the creek a white oak and water beech running thence with his line due North 52 poles to a hickory and white oak William Benton's corner; thence with his line due West 140 poles to an ash, black oak and hickory John Fisher's corner; thence with his line due South 90 poles to a white oak and elm; thence due East 96 poles to a white oak and sweet gum; thence due South 20 poles to an elm, birch

07/10/03

and black gum standing in Henry Davis' line; thence with his line North 88 E 32 poles to two maples his corner; thence with his line South 4 E 12 poles to two maples standing in said line on the bank of a small branch; thence due East 156 poles to two white oaks and an elm standing in Austin and Roberts military line; thence with same North 68 poles to a beech, hickory and gum standing in said military line and corner to John Bradley survey; thence with said Bradley line due West 116 poles to the beginning containing 130 acres by survey.

LESS and EXCEPTED:

Beginning at a stone the beginning corner of a tract of surface conveyed to Ben L. Richardson and C. L. Richardson by deed dated October 29, 1917, by John Divine and wife, and recorded in Deed Book 93, page 514; thence with the old line S 2 degrees 30' W 576.0 feet to a stone, corner to tract now owned by Rollie Bishop; thence with a new division line S 86-45 E 2600.0 feet to a stone in the old line; thence with the old line N 2 degrees 30' E 1140.0 feet to a stone on South side of road, and corner to school lot; thence N 87 degrees 25' W 713.0 feet to a rock; thence S 64 degrees 25 W 1184.0 feet to a rock; thence N 85-50 W 841.5 feet to the beginning, containing 50.0 acres, more or less.

Byers to Wickliffe Coal Co.

016-054(T3&T4)

**32-1/2 AND 20 ACRES
LESS 20 ACRES**

TRACT 3. A certain tract of land near the bank of Green River, and beginning at a Rock, Whitehouses corner, and running with Whitehouse line N 88° W 1795 feet to a Rock on the East side of the Public Road; thence S 21° E 412 feet to a Black Oak; thence S 29° E 404 feet to a Rock; thence S 88° E 1467 feet to a Rock, Central Coal And Iron Company's line; thence with said line N 3° E 698 feet to the beginning, and containing Thirty Two and One Half Acres. But the Coal and mineral rights are reserved by a former deed to which reference is hereby made.

TRACT 4. Beginning at a stone in J. A. Stogner's line; thence S 29° E 796 feet to a Rock in the Old Line; thence S 88° E 1064 feet to an Iron Pin, Nalley's Corner; thence N 3° E 688 feet to a stone; thence N 88° W 1467 feet to the beginning, and containing 20 acres.

There is also reserved out of Tracts No. 3 and 4, last above described, a certain 20 Acre Parcel of land that was conveyed by C. L. Richardson, a single man, on August 21, 1943, unto Everett Cartwright and wife, Hattie Cartwright, and unto the sruvivor (sic)

in the event of the death of the other, as shown by deed that is now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 151 on Page 396, and said Parcel of land is bounded and described as follows:

PARCEL B. Beginning at a Fence Post, corner to property of Everet Cartwright and Len Richardson in line of _____
Withrow; thence with the Old Line S 86° 30' E 428 feet to a stone; thence with a new Division Line N 13° 15' W 1437 feet to a stake in the Old Line between Rollie Bishop and Len Richardson; thence with the Old Line N 86° 30' W 783 feet to an Iron Pin, corner to property of Cartwright and Richardson; thence with the Old Line S 17° 30' E 412 feet to a stake; thence S 27° 45' E 1164 feet to the beginning.

Byers to Wickliffe Coal Co.

016-054(T2)(1/2 Int)
016-054(T6)(1/2 Int)

73-1/2 ACRES LESS 24-1/2 ACRES

Beginning at a planted stone Peter Jones' old corner running with that W 40 poles to a rock; thence S 90 poles to a hickory McLean's corner; thence E 80 poles to a water Oak two gums marked as pointers; thence N 210 poles to a small white oak; thence W 40 poles to a black gum in the old line; thence S 2½ W 120 poles to the beginning.

Less and except the following described tract of 24-1/2 acres:

Beginning at a stone in the George W. Richardson line; thence N. 4 E. 95 rods and 23 links to a small white oak; thence W. 40 rods to a black gum in the old line; thence S. 4 W. 100 rods to a stone; thence N. 85-1/2 E. 40 rods to the beginning, containing 24-1/2 acres, more or less.

Byers to Wickliffe Coal Co.

016-054(T5)

24-1/2 ACRES

Beginning at a stone in the George W. Richardson line; thence N. 4 E. 95 rods and 23 links to a small white oak; thence W. 40 rods to a black gum in the old line; thence S. 4 W. 100 rods to a stone; thence N. 85-1/2 E. 40 rods to the beginning, containing 24-1/2 acres, more or less.

Devine to Homestead Coal Co.

016-211(T1&T2)

36 AND 5.5 ACRES

TRACT #1: Beginning at a walnut free in Ora Masters' line running thence S 84 E 58 poles to a small sugar tree and persimmon in T. R. Ferguson's line; thence N. 2 1/2 W. 911/2 poles to an old mark maple, two white oaks and two hickories newly marked; thence N. 88-15 W. 58 poles; thence across said tract S. 2 E. 86 poles and 4 lengths to the beginning, containing, 36 acres, more or less.

TRACT #2: The second tract is one-half of the following survey; Beginning at a white oak in Vaught's line Peter Jones' corner and running thence due South 20 poles to three hickories and one gum; thence N. 58 E. 88 poles to an elm and black gum P. Jones' corner; thence due North 22 poles to a white oak and sweet gum; Jones' corner; thence due West 88 poles to a stake, containing 11 acres, more or less, the part herein conveyed is the eastern half of this tract.

Devine to Homestead Coal Co.

016-211(T3)

20 ACRES

Beginning at a walnut, John Devine's old corner and running thence S 14-3/4 W 65 poles to a stake in the old line; thence with the old line N 88-1/2 E 74 poles to an elm and oak; thence N 1-1/2 E 62-1/2 poles to a persimmon and sugar tree; thence N 83-1/2 W 58 poles to the beginning, containing 20 acres more or less.

Devine to Homestead Coal Co.

016-211(T4)

88,000 SQUARE FEET (APPROX. 2 ACRES)

Beginning at a fence post in the Mabrey old line 210 feet North of the land and running due East 210 feet; thence South 440 feet to a stake; thence West 210 feet to a stake in the old Mabrey line; thence with his line die North 440 feet to the beginning, containing 88,000 square feet of serface right. This deed dose not convey the coal and mineral right, the same having been reserved by the party of the first part, his heirs and assigns.

Ayrshire to Homestead Coal Co.

016-213(T1)

241.8 LESS 11.9 ACRES

Beginning at a sweet gum and a black gum, running thence S. 1-1/2 E. 511 feet to a stake (formerly a maple and sweet gum);

07/10/03

thence S. 32-3/4 E. 2240 feet to an elm; thence S. 43 W. 2370 feet to a sweet gum, A. Wright's corner; thence N. 47 W. 3050 feet to a black oak; thence S. 43 W. 1695 feet to a stake in the Weir line; thence N. 25 E. 1785 feet to a down hickory, one of the old corners; thence N. 10 E. 1565 feet to a sweet gum; thence N. 88-1/2 E. 2825 feet to the beginning, containing 241.8 acres.

Less and Excepted:

Beginning at a catalpa tree, corner to Fortney and Bishop; thence S 44° 40' W 1695.0 feet to an iron stake in the Gish line; thence with the old line N 24° 15' E 1735.0 feet to an iron pipe; thence S 52° E. 619.0 feet to the beginning, containing 11.9 acres, more or less.

Ayrshire to Homestead Coal Co.

016-213(T2)

**13.3 ACRES LESS APPROXIMATELY 4.425 ACRES
CONVEYED AS PART OF 175.91 ACRE TRACT**

Beginning at a fence post, George Doss corner, thence with his line N. 70 W. 574.5 feet to a stone in right of way line of road leading to Kicheloe Bluff ferry; thence with said road line S. 85-30 W. 50.0 feet to an iron pin; thence with a new division line S. 9-45 E. 1352.0 feet to an iron pin; thence S. 67-45 E. 317.0 feet to an iron pin in the old line between Gish and Fortney; thence with the old line N. 10-45 E. 125.0 feet to an iron pin, David Fortney's corner; thence N. 2-30 E. 1148.0 feet to the beginning, containing 13.3 acres, more or less.

Less and excepted approximately 4.425 acres of the following 175.91 acre tract described as follows:

Beginning at an iron pin (set) in the east right of way of Kentucky 277, being thirty (30) feet east of the centerline thereof and also being thirty (30) feet south of the south edge of the driving surface of a private haul road of Peabody Coal Company, said beginning point being a new division corner within the property conveyed to Sentry Royalty Company by Roxie P. Gish et. al. on September 8, 1956, and of record in Deed Book 199, Page 51, of the Muhlenberg County Clerk's Office; thence with a new division line parallel with said haul road South 83-42-35 East 435.37 feet to an iron pin (set); thence with another division line parallel with said haul road North 86-11-18 East 1205.44 feet to an iron pin (set), said pin being a new division corner within the property conveyed to Homestead Coal Company by Ayrshire Collieries Corp. on August 1, 1955, and of record in Deed Book 194, Page 59, of the Muhlenberg County Clerk's Office; thence leaving the haul road and with new division Lines South 00-22-07 East 984.79 feet to an

iron pin (set), said pin being within the property conveyed to Sentry Royalty Company by Roxie P. Gish et. al. in Deed Book 199, Page 51; South 13-44-43 West 2782.79 feet to an iron pin (set) in the original Southeast line of said tract recorded at Deed Book 199, Page 51; South 46-10-19 West 1668.07 feet to an iron pin (set) in the line of E.M. Gish Jr.; thence North 29-55-31 West 1428.80 feet with the line of Gish and later with the line of Eddie Reed to an existing 2" iron pipe, corner to Reed and Gish, said line being the original southwest Line of said tract conveyed to Sentry Royalty Company in Deed Book 199, Page 51; thence with the lines of the property conveyed to Central Land Company by Peabody Coal Company on May 28, 1985, and of record in Deed Book 402, Page 476, and now owned by E.M. Gish Jr. North 67-29-54 East 1101.12 feet to a stake, North 39-01-58 East 214.90 feet to a stake, North 38-59-02 West 213.80 feet to a stake, North 57-26-02 West 138.10 feet to a stake, North 85-40-02 West 320.10 feet to a stake, North 46-21-02 West 225.20 feet to a stake, North 00-01-58 East 488.30 feet to a stake, North 32-42-02 West 553.26 feet to a stake in the east right of way of Kentucky 277, being 35 feet from the centerline thereof, thence North 26-59-47 East 103.52 feet with said right of way to a stake, thence North 63-00-13 West 5.00 feet with said right of way to a stake; thence North 26-59-47 East 1700.68 feet with said right of way to the beginning, containing 175.91 acres pursuant to an August 27, 1990, survey by William C. Hill, L.S. 2102.

Doss to Homestead Coal Co.

016-220

10 ACRES LESS 1.04 ACRES

Beginning at a rock, Whitehouse's line Doss and Whitehouse's corner, and running N 88-1/2 W 495 feet to a rock marked D; thence S 1-1/2 E 875 feet to a rock marked D; thence S 88-1/2 E 495 feet to a rock marked D in Ora Master's line; thence with Master's line N 1-1/2 W 875 feet to the beginning, containing 10 acres.

Less and excepted the following :

Beginning at a rock marked "D" at Northwest corner of 10 acre tract; thence with the old line and call S. 01-30 E. 59.5 feet, more or less, to an iron pin in the North right-of-way line of Ky Highway 277; thence with said North right-of-way line of said Highway S. 81-15 E. 356 feet to a stake in said line; thence still with said right-of-way S. 86-44 E. 138 feet to an iron pipe in the East line of the 10 acre tract in the North right-of-way line of said Highway; thence N. 01-30 W with the Whitehouse tract 103 feet to a stake at the Northeast corner of the 10 acre tract, a rock called for, now gone; thence with the line of the Whitehouse tract and running on old call

N. 88-30 W. 495 feet to the beginning, containing 1.04 acres, more or less.

Davenport to Homestead Coal Co.

016-240

1.23 ACRES

Beginning at a stake, corner to Jake Devine, Jr., and running thence S. 43-1/2 E. 537 feet, more or less, and with the Jake Devine, Jr., line to a stake; thence N. 43-1/2 E. 102 feet to a stone; thence N. 43-1/2 W. 537 feet to a stake; thence N. 33 E. 102 feet, more or less, to the point of beginning.

Hendricks to Sentry Royalty Co.

016-290

8.3 ACRES

Beginning at a fence post on North side of road, corner to property of George Doss; thence with the road line S. 84 E. 80.0 feet to a stake; thence with a new division line N. 1 W. 830.0 feet to a stake; thence S. 89 W. 110.0 feet to a stake; thence N. 1 W. 915.0 feet to a stake in the old line; thence with the old line N. 86-50 W. 346.0 feet to a point in the road, formerly a sweet gum and 2 water beeches; thence S. 1 W. 326.0 feet to a stake; thence S. 84-30 E. 86.0 feet to a stake; thence still with the old line S. 0-30 W. 543.0 feet to a stake, corner to lot of J. R. Slaton; thence with his lines S. 87-15 E. 210.0 feet to a stake; thence S. 2-30 E. 420.0 feet to his corner and corner to George Doss; thence with lines of Doss N. 87-45 E. 105.0 feet; thence S. 0-1 E. 458.0 feet to the beginning, containing 8.3 acres.

Geary to Sentry Royalty Co.

016-400

9 ACRES

Beginning at a stake, Sassafras and dogwood pointers, a corner to a 10 acre lot and in the original line; thence with the line of same N 31 15' W 710.5 feet to a stake, corner to said lot; thence N 43 30' E 479.5 feet to a stake in the original line; thence with same S 47 00' E 682.6 feet to a sweet gum, the beginning corner to the origial survey; thence S 43 30' W 673.1 feet to the beginning, containing 9 acres, more or less.

Retzke to Sentry Royalty Co.

016-419

34 ACRES

Beginning at a rock, corner of S. J. Gish estate, Henry Ralph and southwest corner of G. W. Dennis; thence with line of Henry Ralph

south 30 degrees E 160 feet to a rock; thence with a new division line N. 60 degrees 15' E. 1880 feet more or less to a new corner in line of Earl Ross; thence with Ross N. 15-30 W 669 feet to a stone corner of S. J. Gish estate in Earl Ross line; thence with the Gish line S. 43-30' W 1680 feet to the beginning, leaving in tract above described 34 acres more or less.

Daniel to Sentry Royalty Co.

016-622

2.5 ACRES

Beginning at F. R. Caskey's corner and running E. 152-1/2 feet to the corner of Sherly Daniel lot; thence S. 712 feet to George Dennis line; thence with George Dennis' line W. 152-1/2 feet; thence N. 712 feet with F. R. Caskey's line to the place of beginning.

Geary to Sentry Royalty Co.

016-623

1.25 ACRES

Beginning at the corner of Hettie Sue Brasher's lot, running east 152-1/2 feet to the corner of Mrs. S. J. Devine's lot; thence with the line of Mrs. S. J. Devine's 712 feet to George Dennis' line; thence with Dennis' line 152-1/2 feet west to Hettie Sue Brasher's line; thence with her line 712 feet to the beginning.

There is excepted out of the above described lot or parcel of land the following acreage conveyed unto Paul S. DeArmond and his wife, Ruth DeArmond, or the survivor, by William Geary and his wife, Lorene Geary, by deed dated September 3, 1964, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 243, page 113, and described as follows:

Beginning at the corner of Mrs. S. J. Devine's lot and running with Mrs. S. J. Devine's line in a northerly direction 712 feet to George Dennis' line; thence with the Dennis' line in a westerly direction 65 feet to William Geary's line; thence in a southerly direction with William Geary's line 712 feet to his southeast corner; thence in an easterly direction 65 feet to the point of beginning.

Hendricks to Sentry Royalty Co.

016-639

8.0 ACRES

Beginning at a stake on North line of road, corner to Lot No. 1; thence S 84 E 200 feet to a stake; thence with a new division line N 1 W 815 feet to a stake; thence S 89 W 113 feet to a stake; thence N 1 W 941 feet to a stake in the old line; thence with the

old line N 86-50 W 200 feet to a stake, corner to Lot No. 1; thence with Lot No. 1 S 1 E 915 feet to a stake; thence N 89 E 110 feet to a stake; thence S 1 E 830 feet to the beginning containing 8.0 acres.

Tedford to Peabody Coal Co.

016-662(T1&T2)

36 ACRES

TRACT #1: Beginning at a sweet gum in the flats and running S. 40 W. 187 poles to a hickory and white oak; thence N. 50 W. 132 poles to a stake in the field; thence N. 40 E. 95 poles to a white oak in the field; thence N. 50 W. 48 poles to a sweet gum; thence N. 40 E. 86 poles to a sweet gum; thence S. 50 E. 180 poles to the beginning, containing 180 acres.

There is reserved from the above described boundary and not included therein, the following described tracts or parcels of ground which have heretofore been sold, viz:

PARCEL A. A tract of land containing 60 acres has heretofore been sold to W.W. Bridges.

PARCEL B. A tract of land containing 10 acres has heretofore been sold to T. A. Nalley.

PARCEL C. A tract of land containing 14 acres has heretofore been sold to other parties.

PARCEL D. A tract of land containing 10 acres, more or less, lying on the East side of said tract of land above, and same having been heretofore sold to another party.

PARCEL E. A tract of land containing 50 acres, more or less, heretofore sold to another party, leaving a balance of said tract of land herein conveyed containing 36 acres, more or less.

16 ACRES

TRACT #2: Beginning at a rock, corner of S. J. Gish Estate, Henry Ralph and southwest corner of G. W. Dennis; thence with the line of Henry Ralph S30 degrees E. 160 feet to a rock to be planted; (a new division corner) thence with the new division line N 60-15 E 1880 feet, more or less to a new corner, (stone to be planted) in line of Earl Ross; thence with Ross N 45-30 W 669 feet (correct measurement on this line between fixed monuments, 695 feet) to stone, corner of S. J. Gish Estate in Earl Ross line; thence with the Gish line S 43-30 W 1,680 feet to the beginning.

07/10/03

Underwood to Peabody Coal Co.

016-668

3 ACRES

Beginning at a rock in the Southwest corner of the old line known as the Rudolph Kittinger line; running thence N 31 W 429 feet to a stake; thence N 43 E 305 and 25/100 feet in a new division line between the parties herein to a stake in the old line; thence S 31 E 429 feet to a stake; thence S 43 W 305 and 25/100 feet to the beginning containing three acres more or less.

Caskey to Peabody Coal Co.

016-669

2 ACRES

Beginning at a rock in the Southwest corner of the old line known as the Rudolph Kittinger line; running thence N 31 W 712-6/10 feet to a rock; thence N 43 E 305-25/100 feet to a stake; thence S 31 E 712-6/10 feet to a stake; thence S 43 W 305-25/100 feet to the beginning, containing 5 acres.

There is excepted out of the above described 5 acre tract the following:

EXCEPTION #1: That lot conveyed to Mid-State Homes, Incorporated by F. R. Caskey, Jr. and his wife, Jennie A. Caskey, by deed dated May 13, 1961, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 224, page 49 and described as follows:

Beginning at a rock in the Southwest corner of the old line known as the Rudolph Kittinger line; running thence North approximately 75 feet to a stake; thence running East approximately 100 feet to a stake; thence running approximately 75 feet South to a stake; thence running West approximately 100 feet to the point of beginning.

EXCEPTION #2: That certain lot conveyed to Hazel Underwood by F. R. Caskey, Jr. and his wife, Jennie A. Caskey, by deed dated March 15, 1965, of record in the office of the Muhlenberg County Court Clerk in Deed Book 245, page 580, and described as follows:

Beginning at a rock in the Southwest corner of the old line known as the Rudolph Kittinger line; running thence N 31 W 429 feet to a stake; thence N 43 E 305 and 25/100 feet in a new division line between the parties herein to a stake in the old line; thence S 31 E 429 feet to a stake; thence S 43 W 305 and 25/100 feet to the beginning containing three acres more or less.

07/10/03

12.5 ACRES

TRACT #1: Beginning at J. C. Caskey's S.E. corner in the line of Old Stroud line, running thence in a Northeasterly direction 43-1/4 poles to a rock; thence S.W. 43-1/4 poles to a rock, thence S 18-1/2 poles to a rock at the beginning corner, containing five acres, more or less.

LESS AND EXCEPTED: Beginning at a stake, corner to Jake Devine, Jr., and running thence S. 43-1/2 E. 537 feet, more or less, and with the Jake Devine, Jr., line to a stake; thence N. 43-1/2 E. 102 feet to a stone; thence N. 43-1/2 W. 537 feet to a stake; thence N. 33 E. 102 feet, more or less, to the point of beginning.

TRACT #2: Beginning at a stone corner of Caskey and Stroud heirs and running thence N 31 W 710 feet with Caskeys line to a stake corner to Mitchell; thence with Mitchells line N 43.30: E 640 feet to a fence post corner to Monroe McRoy thence with McRoy line S 24 E 740 feet to a stone corner to Stroud heirs thence with the line of the Stroud heirs S 43.30: W 537 feet to the beginning containing ten acres.

APPROXIMATELY 77.377 NET ACRES OF 297.77 ACRES

TRACT NO. 1: Beginning at an iron pipe corner to Devine, Gish and DePoyster; thence S. 56-19 E. 201.9 feet to a pipe; thence S. 24-28 W. for 1986.4 feet to an iron pipe corner to Gish and Devine; thence S. 60-39 E. for 304.0 feet to a corner in C. E. Wood's tine; thence N. 33-02 E. for 47.7 feet to C. E. Wood's N.W. corner; thence S. 60-07 E. for 848.9 feet to a stake in the East R/W line of State Route #277; thence with said East R/W line S. 29-19 W. for 1033.3 feet to a stake; thence S. 60-05 E. for 535.3 feet; thence S. 14-47 W. for 956.7 feet to a corner with Gish and Mason; thence S. 28-28 E. for 1428.8 feet to a stake in a field; thence N. 47-38 E. for 2800.3 feet to a 24" catalpa corner to Gish and Fortney; thence N. 41-42 W. for 614.8 feet to an iron pipe, a Fortney and Gish corner; thence N. 13-41 E. for 1504.7 feet to a 2" iron pipe; thence N. 63-12 W. for 317.1 feet; thence N. 6-14 W. for 1357.0 feet to a stake in South R/W line of State Route #277; thence along said South R/W line S. 86-29 W. for 228.4 feet; thence N. 23-48 for 222.9 feet; thence N. 65-43 W. for 419.1 feet to a point in the Center of a public road; thence N. 25-02 E. along the center of said public road for 233.98 feet; thence N. 60-17 W. for 236.0 feet along a line common to the Central City Water

Works; thence N. 25-28 E. for 211.6 feet along said water works' line to a point on the south side of a public road, N. 68-32 W. for 322.4 feet to an iron pipe, N. 74-31 W. for 318.6 feet, N. 66-14 W. for 146.4 feet; thence crossing said public road N. 6-14 E. for 285.7 feet to the low water mark on bank, of Green River; thence along said River Bank N. 80-16 W. for 685.9 feet to a point which is 42.5 feet from a 36' elm on River Bank, DePoyster's corner; thence S. 11-26 W. for 1019.2 feet to the place of beginning, containing 308.98 acres, more or less.

There is excepted from Tract No. 1, above described, the following 8 lots:

Lot No. 1: 2 acres, more or less, conveyed to Ernest Brown by Central Land Company, by deed dated June 29, 1937, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 152, page 520.

Lot No. 2: 0.47 of an acre, more or less, conveyed to George H. Dennis by Central Land Company, by deed dated October 9, 1943, and now of record in said Clerk's Office in Deed Book 196, page 169.

Lot No. 3: 0.47 of an acre, more or less, conveyed to Elizabeth Pointer by Central Land Company, by deed dated July 24, 1943, and now of record in said Clerk's Office in Deed Book 155, page 215.

Lot No. 4: 0.48 of an acre, more or less, conveyed to Fannie Mae Griffith by Central Land Company, by deed dated April 29, 1944, and now of record in said Clerk's Office in Deed Book 155, page 145.

Lot No. 5: 0.37 of an acre, more or less, conveyed to Tina Bertha Pointer by Central Land Company, by deed dated November 4, 1947, and now of record in said Clerk's Office in Deed Book 166, page 417.

Lot No. 6: 1.01 acres, more or less, conveyed to Columbus Pointer by Central Land Company, by deed dated March 15, 1921, and now of record in said Clerk's Office in Deed Book 199, Page 39.

Lot No. 7: 2.0 acres, more or less, conveyed to Green River Chapel by James Weir, by deed dated August 5, 1904, and now of record in said Clerk's Office in Deed Book 61, page 15.

Lot No. 8: 4.41 acres, more or less, for right-of-way of Highway #277, not previously excluded from the boundary described above

containing 308.98 acres, less 11.21 acre exceptions, leaving a net acreage of 297.77 acres conveyed herein.

FROM THIS 297.77 ACRES PARENT TRACT, THE FOLLOWING FIVE (5) "OUT CONVEYANCES" ARE TO BE TAKEN:

OUT CONVEYANCE 1: The following 24.2 acre surface tract conveyed to Central Land Company by Peabody Coal Company by deed dated May 28, 1985, of record in Deed Book 402, page 476, Muhlenberg County Clerk's office, and more particularly described as follows:

Beginning at an iron pipe on top of ridge, Gish, Mason, Peabody corner, then N 14-47 E 956.5' with Gish to a stake; then N 60-05 W 535.3' with Gish to a stake in the east R/W of Hwy. 277; then N 29-19 E 815' with the east R/W of Hwy. 277 to a stake; then leaving said Hwy. on the following courses of new division lines: S 30-18 E 551.0' to a stake; S 02-26 W 488.3' to a stake; S 43-57 E 225.2' to a stake; S 83-16 E 320.1 to a stake; S 55-02 E 138.1' to a stake; S 36-35 E 213.8' to a stake; S 41-26 W 214.9' to a stake; then S 69-56 W 1,110.0' to the beginning, and containing 24.2 acres.

OUT CONVEYANCE 2: Approximately 171.485 acres of the following 175.91 acres tract conveyed by Peabody Coal Company, a Delaware corporation, and Peabody Development Company, a Delaware corporation, to the Commonwealth of Kentucky for the benefit of the Corrections Cabinet, by deed dated December 21, 1990, of record in Deed Book 404, page 565, Muhlenberg County Clerk's office, and more particularly described as follows:

Beginning at an iron pin (set) in the east right of way of Kentucky 277, being thirty (30) feet east of the centerline thereof and also being thirty (30) feet south of the south edge of the driving surface of a private haul road of Peabody Coal Company, said beginning point being a new division corner within the property conveyed to Sentry Royalty Company by Roxie P. Gish et. al. on September 8, 1956, and of record in Deed Book 199, Page 51, of the Muhlenberg County Clerk's Office; thence with a new division line parallel with said haul road South 83-42-35 East 435.37 feet to an iron pin (set); thence with another division line parallel with said haul road North 86-11-18 East 1205.44 feet to an iron pin (set), said pin being a new division corner within the property conveyed to Homestead Coal Company by Ayrshire Collieries Corp. on August 1, 1955, and of record in Deed Book 194, Page 59, of the Muhlenberg County Clerk's Office; thence leaving the haul road and with new division Lines South 00-22-07 East 984.79 feet to an iron pin (set), said pin being within the property conveyed to Sentry Royalty Company by Roxie P. Gish et. al. in Deed Book

199, Page 51; South 13-44-43 West 2782.79 feet to an iron pin (set) in the original Southeast line of said tract recorded at Deed Book 199, Page 51; South 46-10-19 West 1668.07 feet to an iron pin (set) in the line of E.M. Gish Jr.; thence North 29-55-31 West 1428.80 feet with the line of Gish and later with the line of Eddie Reed to an existing 2" iron pipe, corner to Reed and Gish, said line being the original southwest Line of said tract conveyed to Sentry Royalty Company in Deed Book 199, Page 51; thence with the lines of the property conveyed to Central Land Company by Peabody Coal Company on May 28, 1985, and of record in Deed Book 402, Page 476, and now owned by E.M. Gish Jr. North 67-29-54 East 1101.12 feet to a stake, North 39-01-58 East 214.90 feet to a stake, North 38-59-02 West 213.80 feet to a stake, North 57-26-02 West 138.10 feet to a stake, North 85-40-02 West 320.10 feet to a stake, North 46-21-02 West 225.20 feet to a stake, North 00-01-58 East 488.30 feet to a stake, North 32-42-02 West 553.26 feet to a stake in the east right of way of Kentucky 277, being 35 feet from the centerline thereof, thence North 26-59-47 East 103.52 feet with said right of way to a stake, thence North 63-00-13 West 5.00 feet with said right of way to a stake; thence North 26-59-47 East 1700.68 feet with said right of way to the beginning, containing 175.91 acres pursuant to an August 27, 1990, survey by William C. Hill, L.S. 2102.

OUT CONVEYANCE 3: The following 0.128 acres was conveyed by Peabody Coal Company, a Delaware corporation, and Peabody Development Company, a Delaware corporation, to the Commonwealth of Kentucky for the use and benefit of the Transportation Cabinet, Department of Highways, by deed dated October 19, 1999, of record in Deed Book 488, page 127, Muhlenberg County Clerks office, and more particularly described as follows:

PARCEL NO. 2

Beginning at a point 3.758 meters (12.33 feet) right of new road station 3+008.462; thence North 50 degrees 27 minutes 13 seconds West, 51.513 meters (169.00 feet) to a point 17.400 meters (57.09 feet) right of new road station 3+058.135; thence South 69 degrees 42 minutes 38 seconds East, 38.224 meters (125.41 feet) to a point 20.000 meters (65.62 feet) right of new road station 3+020.000; thence South 89 degrees 43 minutes 57 seconds East, 19.729 meters (64.73 feet) to a point 28.000 meters (91.86 feet) right of new road station 3+001.966; thence South 39 degrees 11 minutes 24 seconds West, 25.097 meters (82.34 feet) to the point of beginning.

The above described parcel contains .052 hectares (517 sq. meters, .128 acres, 5,568 sq. ft.).

OUT CONVEYANCE 4. The following 6.29 acres tract conveyed by Peabody Coal Company, a Delaware corporation, to the City of Central City by deed dated April 1, 1970 recorded in Deed Book 278, page 546, Muhlenberg County Clerk's office, and more particularly described as follows:

Beginning at a 2" iron pipe in the West right-of-way line of Kentucky Highway #277 and being a corner to George Dennis; thence with the line of Dennis N. 63-45 W. 208.75 feet to a 2" iron pipe, corner to Dennis and Sentry Royalty Co.; thence with the line of said Company N. 63-45 W. 210.28 feet to a 2" iron pipe in the East, right-of-way line of a 20.00 foot right-of-way of the City -of Central City; thence with the East right-of-way line of said City, N. 9-13 E. 545.75 feet to a 2" iron pipe corner to Sentry Royalty Co.; thence with the line of said Company S. 68-24 E. passing a concrete monument at 147.15 feet, a total of 580.81 feet. to a 2" iron pipe in the West right-of-way of Highway #277, corner to Sentry Royalty Company; thence with the West right-of-way of said Highway S. 26-15 W. 568.92.feet to the point of beginning. Containing 6.29 acres.

OUT CONVEYANCE 5. The following two tracts conveyed by Sentry Royalty Company to River Queen Coal Company by deed dated March 26, 1957, recorded April 29, 1957, in Deed Book 201, page 464:

Tract No. 2: Beginning at an iron pipe corner common to Devine, Gish and DePoyster; thence S 56-19 E for 201.9 feet, N 46-19 E for 983.2 feet, N 6-14 E for 385.7 feet to the low water mark of the Green River, thence along said low water mark N 80-16 W for 685.9 feet; thence leaving the river S 11-26 W for 1019.2 feet to the place of beginning, containing 12.87 acres, more or less.

Tract No. 3: A strip of land 200 feet in width, being 100 feet on each side of a centerline extending from the West line of the Gish land to State Highway No. 277. Said centerline is more particularly described as follows: Beginning at a point in the line common to Gish and Devine said point being N 24-28 E 1145.0 feet from the Southwest corner of the Gish land; thence S 58-00 E for 1180.0 feet, to the west right of way line of State Highway No. 277, containing 5.42 acres, more or less.

Gish to Sentry Coal Co.

025-226(T2)

10 ACRES

Beginning at a stone in the East line of the County road, corner to property of Jennie Slayton; thence with Jennie Slayton line N 69

07/10/03

degrees 35' W 830 feet to a stake; thence with a new division line S 20 degrees 30' W 418 feet to a stake in line of Heirs of Mary L. Atherton; thence S 61 degrees 30' E 1008 feet to a stake in East line of above road; thence N 3 degrees 55' E 580 feet to the beginning, containing 10 acres more or less.

DeArmond and Sentry Coal Co.

025-595 (016-595)

1.25 ACRES

TRACT #1: Beginning at the corner of Mrs. S.J. Devine's lot and running with Mrs. S.J. Devine's line in a northerly direction 712 feet to George Dennis' line; thence with Dennis' line in a westerly direction 65 feet to William Geary's line; thence in a southerly direction with William Geary's line 712 feet to his southeast corner; thence in an easterly direction 65 feet to the point of beginning.

Wiggins to Homestead Coal Co.

016-210(T1)

112.1 ACRES

Beginning at a maple, elm and hackberry on the bank of Nelson Creek near the end of a bridge; thence N 78-15 W 1135 feet to a mulberry; thence S 24 W 174 feet to a stone; thence S 49 W 165 feet to a stone; thence S 47-45 W 567 feet to a stone on the north side of the road; thence S 63-30 E 277 feet to a stone in the forks of the road; thence S 7 W 696 feet to a point in the road in line of Central Land Co., and corner to C. H. Ralph; thence with his land S 67 E 736 feet to a hickory; thence S 6 E 543 feet to a stake in the line of J. W. Ross; thence with Ross' land N 88-35 E 2083 feet to a large sweet gum; thence leaving Ross N 0-40 W 1109 feet to a stone corner to George Doss, Jr.; thence N 89 W 491 feet to a stone; thence N 2 W 868 feet to a stone; thence N 88-15 W 710 feet to the beginning, containing 112.1 acres.

Wiggins to Homestead Coal Co.

016-210(T2)

10 ACRES

Beginning at a gum tree where the land corners with S. J. Gish and J. W. Ross and running north with Gish's line about 600 feet to a planted rock in Doss and Gish line at present the corner of Doss field, and at the end of a lane; thence in line with Doss field fence N 86 E 726 feet to a planted rock in the woods; thence at right angles 600 feet, more or less, to a planted rock; thence 726 feet, to the beginning corner containing 10 acres.

Amax to Peabody Coal

016-745(P2)

51.5 ACRES

PARCEL 2: Beginning at a sugar maple tree, one of the old corners, and corner to property of Greenville Coal Company; thence with line of Greenville Coal Company S 74 degrees 00' E 399.0 feet to a stake in right-of-way line of (Illinois Central Railroad; thence with said right-of-way line S 57 degrees 10' W 837.0 feet; thence N 32 degrees 50' W 15.0 feet; thence S 57 degrees 10' W 1221 .0 feet to an iron pin in above right-of-way line and in property line of Gibraltar Coal Mining Company; thence with line of Gibraltar Coal Mining Company N 32 degrees 30' W 1045.0 feet to a stake, with black oak marked as pointer; thence with a new division line N 57 degrees 10' E 2486.0 feet to a stake; thence N 14 degrees 10' E 223.5 feet to a stake on West side of old road; thence with said road line S 39 degrees E 105.0 feet to a stake in old line and in line of Greenville Coal Company; thence with said old line S 14 degrees 10' W 1186.0 feet to the beginning, containing 51 .5 acres.

Amax to Peabody Coal

016-745(P3)

126 ACRES

PARCEL 3: Beginning at an iron pin (formerly white oak, black oak, and mulberry) an old patent corner, and corner of Katie B. Reneer, Mabel Wolcott, and Gospel Advocate Company; thence with the line of Katie B. Reneer N. 89 degrees W 3639.0 feet to an iron pin in line of Joe Ross Estate; thence S 32 degrees 30' E 2860.0 feet to a stake with B. O. Pointer, in line of Gibraltar Coal Mining Company, and corner of Harrison Roach N 57 degrees 10' E 2486.0 feet to a stake; thence N 14 degree~ 10' E 223.5 feet to a stake on South side of old road; thence S 39 degrees E 105.0 feet to a stake by gate in line of Greenville Coal Company; thence with Greenville Coal Company N 14 degrees 10' E 770.0 feet to an iron pin, corner to Gospel Advocate Company; thence N. 48 degrees 30' W 304.5 feet to the beginning, containing 126.0 acres, more or less.

Amax to Peabody Coal

016-745(T8)

319.6 ACRES

Beginning at a rock, R. R. McLean's corner and beginning corner of Muir's tract; thence N 88 W 2112 feet to an iron pin, the rock and oak called for gone, corner to J. H. Richardson land, now Rogers', thence S 26 W 2772 feet with Richardson line to a rock, white oak, beech and dogwood as pointers, thence with T. L. Roll's

07/10/03

and Moore's line, now W.A. Wickliffe Coal Company, S 76 E 1023 feet to a rock, an old black oak marked as pointer; thence S 33 E 732.6 feet to a rock on top of a hill, a white oak and persimmon marked as pointers; thence S 75 E 825 feet to a rock, three beeches, black oak and sassafras marked as pointers; thence N 78 E 3654.75 feet to a red oak, three white oaks marked as pointers and known as J. W. Sharp's corner; thence with J. W. Sharp's line N 12 E 990 feet to a rock, another of Sharp's corners, also corner to Preston Sharp surface; thence N 55 W 3184.5 feet to the beginning, containing 329 acres, more or less. But there is excepted from said boundary the right-of-way heretofore conveyed to the Elizabethtown & Paducah Railroad Company (now the Illinois Central Railroad Company), the right-of-way for U.S. Highway No. 62, and that part of the above described boundary lying North or East of U.S. Highway No. 62, leaving 319.6 acres conveyed herein after deducting the above exceptions.

Amax to Peabody Coal

016-745(P14)

41.5 ACRES

Beginning at a sassafras tree at the corner of Martha Pickett 19.2 acre tract and in line of a parcel sold by James Bastin to Posey Stewart, thence with the line of the Stewart tract N. 88 degrees W. 304 feet to a stake in the old line; thence N. 16-1/2 degrees E. 149 feet to a stake; thence N 29-1/2 degrees E. 520 feet to a white oak or stake in the Greenville Coal Company line (now Sentry Royalty Company); 607 feet to a stake another corner of Greenville Coal Company; thence N. 4 degree E. 1538 feet to an iron stake in the line of Greenville Coal Company; thence S. 19 degree W. 2510 feet to a stake in the line of the Heck tract (now Rogers Brothers); thence with a line of said Heck tract. S. 56 degrees E. 1690 feet to the beginning, containing 41.5 acres, more or less.

Amax to Peabody Coal

016-745(P16&P17)

3.94 ACRES

PARCEL 16

A strip of land of even width, 100 feet on each side of the following described centerline; beginning at an iron pipe, 4 feet E of a 30 inch gum in the East - West property line between Ayrshire Collieries Corporation's 126.5 acre Roy Johnson tract and Katie B. Reneer, which iron pipe is N 88-20 W 3231 feet (old call S 86 W) from a 1-1/4 inch iron axle at a root wad, corner to Rogers, Ayrshire Collieries Corporation and Katie B. Reneer; thence N 02-14 W 858.4 feet across the lands of Katie B. Reneer to another iron pipe near a 10-inch elm and 18-inch gum on the S

07/10/03

side of a ditch in the East - West property line between Ayrshire Collieries Corporation's 77-acre Luther Faught tract and Katie B. Reneer, which iron pipe is approximately 477 feet East of Katie B. Reneer's Northwest corner. Said tract of land contains 3.94 acres and extends from the Roy Johnson tract on the South to the Luther Faught tract on the North.

50 AND 22.75 LESS 3.94 ACRES

PARCEL 17

Tract #1: Beginning at an old corner, gum and maple, corner to Joseph Milligan; thence N 4 W 52 poles to a rock marked "BB"; thence N 86 E 154 poles to a rock marked "BB"; thence S 4 E 52 poles to a small dogwood, black gum and hickory in Milligan's line; thence with same S 86 W 150 poles to the beginning, containing 50 acres, more or less.

Tract #2: Beginning at a rock near a maple and beech corner to John Brinkman's survey running N 86 E about 70 poles to the old line, a red oak, elm and hickory marked; thence S 4 E 52 poles to the old corner of original survey, a mulberry; thence S 86 W about 70 poles to Brinkman's corner in the old line, dogwood, black gum and hickory; thence with Brinkman's line to the beginning

LESS AND EXCEPTED:

"There is excepted 3.94 acres of surface heretofore conveyed to the party of the second part by the party of the first part".

Amax to Peabody Coal

016-745(P19)

**THAT PORTION OF 36.1 ACRES "LYING
NORTH OF THE I. C. RAILROAD"**

All the surface to the following described parcel lying north of the I. C. Railroad:

Beginning at a stone in the line of Ed Frost's Elax Tinsley 138.8 acre tract and the Southwest corner of Sallie Sharp's 235 acre tract; thence with a line of same N 32-15 W 2742 feet to an elm in the Sharp line and corner to Rose land; thence with Rose land S 42-45 W 316 feet to a sweet gum Northeast corner of Ed Frost's Elax Tinsley 134.7 acre tract; thence with a line of said tract S 22 E 2834 feet to a sweet gum; thence N 51-10 E 853 feet to the place of beginning, containing 36.1 acres.

211.7 ACRES LESS 3 ACRES

Beginning at an iron pin in what was formerly known as Dr. McLean's old line, and running thence S 26-34 W 2775 feet to a stone, formerly known as Arnett's corner; thence N 75-45 W 2398 feet to an iron pin, formerly known as Warren Davis corner; thence S 14 W 780 feet to an iron pin; thence N 48-30 W 304.5 feet to an iron pin at a point formerly known as Henry Davis corner; thence N 0-45 W 1664 feet to the S. W. corner of the two acres of surface conveyed by W. R. McDowell to Pratt Mabry; thence N 0-45 W with Mabry's line 440 feet to a rock, Mabry's N. W. corner; thence N 0-45 W 1103 feet to a stake in what was formerly known as William McLean's line; thence S 85-45 E 2281 feet to a white oak stump; thence S 4-15 W 465 feet to an elm in what was formerly known as Dr. McLean's line; thence S 86 E 1797 feet to an iron pin, the point of beginning, and containing 211.7 acres, but there is excepted from this boundary one acre conveyed to the Methodist and Cumberland Presbyterian Churches, jointly.

There is excepted from the above tract the following two tracts:

TRACT 1: Beginning at a rock, Richardson's corner running thence N. 21 E. 220 feet with the Richardson old line to a stake, a corner to the old church lot; thence F. 208~1/2 feet to a stake; thence S. 21 W. 220 feet to a stake; thence W. 208-1/4 feet to the place of beginning.

COMMENT: Exception Tract 1 is the one acre tract referred to as the "church lot".

TRACT 2: Beginning at a fence post in the Mabrey old line 210 feet North of the land and running due East 210 feet; thence South 440 feet to a stake; thence West 210 feet to a stake in the old Mabrey line; thence with his line die North 440 feet to the beginning, containing 88,000 square feet of surface right. This deed dose not convey the coal and mineral right, the same having been reserved by the party of the first part, his heirs and assigns.

**THAT PORTION OF 139.3 ACRES "LYING
NORTH OF THE I. C. RAILROAD"**

All the surface to the following described parcel lying north of the I. C. Railroad:

Beginning at a beech stump on the West side of the Illinois Central Railroad right of way in the James Tinsley 200 acre patent line, and running thence with the line of said patent S 51-10 W 2003 feet to a gum and elm, passing a planted rock, corner to Sharp and Stroud, at 1150 feet; thence N 22 W 2834 feet with the line of James Tinsley's 110 acre survey to a sweet gum; thence S 43-30 W 1981 feet to a shellbark hickory in the line of said patent; thence with the patent line S 44-20 E 2777 feet to a hickory and beech stump, corner to said patent; thence N 52-15 E 948 feet to a beech and sweet gum stump, corner to said patent; thence with the line of James Tinsley's 200 acre patent S 39-20 E 1338.5 feet to the West edge of the Illinois Central right of way; thence in a Northern direction and with a four degree curve to the left with said edge of said right of way 749 feet to a stake in said edge of said right of way; thence N 2 W 166 feet to a stake in said edge of said right of way; thence crossing said right of way S 87-20 E 510 feet to a stake; thence N 2 W 644 feet to a stake; thence N 87-20 W 510 feet, crossing said right of way to a stake in the West edge of said right of way; thence N 2 W 344 feet with said edge of said right of way to the beginning of a six degree curve to the right; thence with said edge of said right of way on said curve 727 feet to the beginning, containing 139.3 acres.

There is, however, reserved from this tract the right of way of the Illinois Central Railroad, containing 4.6 acres.

Amax to Peabody Coal

016-745(P20)(T3)

**THAT PORTION OF 198.0 ACRES
"LYING NORTH OF THE I. C. RAILROAD"**

All the surface to the following described parcel lying north of the I. C. Railroad:

Beginning at a hickory corner marked "A" on the plat; thence S 48 E 168 poles to a hickory and beech on Baxter's line; thence S 43 W 193 poles to a stake near a small cedar; thence N 47 W 153 poles and 8 links to a rock on Kittinger's corner; thence N 40 E 192 poles to the beginning, containing 198 acres.

Vincent to Peabody Coal Co.

016-495(T1-T5)

TRACT 1 9 ACRES

TRACT #1: Beginning at a stake in line of Jennie Slayton, corner to property of J. W. Murphy; thence with Jennie Slayton's line N 69 degrees 35' W. 1157 feet to her corner on the bank of Green River; thence with said river bank S. 31 degrees 53' W. 249 feet to a stone with black oak pointer; thence S. 61 degrees 30' E.

07/10/03

1218 feet to a stake, corner of J. W. Murphy; thence N. 20 degrees 30' E. 418 feet to the beginning, containing 9 acres more or less.

TRACT 2 10.1 ACRES

TRACT #2: Beginning at a concrete post in line of Win. Murphy; thence with his line and line of E. A. Atherton N. 61 degrees 15' W. passing Murphy's corner, an iron pin at 127.0 feet a total of 1345.0 feet to a stake on the bank of Green River; thence down the river bank S. 36 degrees 45' W. 228.0 feet to a stake; thence with line of Mrs. Grady S. 53 degrees 30' E. 1393.0 feet to a concrete post; thence with a new division line N. 28 degrees 45' E. 410.0 feet to the beginning, containing 10.1 acres.

There was excepted and is excepted herein a road way to be used as an outlet of the Highway by Robert Atherton to be located where it will cause the least damage to the property described in Tract No. 2 and at the same time be convenient to the said Robert Atherton and family. The land described in Tract No. 2 being between the property of Robert Atherton and the Highway.

TRACT 3 11 ACRES

TRACT #3: Certain tract of land lying in Mvlenbera County Kentucky, and beginning at a stake on the east side of the road leading from Kincheloe Bluff to Nelson, corner to the property of W. M. Murphy on Robert Slaton's line; thence with Murphy's line N. 61 degrees 15 W. 881.0 feet to a concrete post; thence with a New division S. 28 degrees 45 W. 410.0 feet to a concrete post, in line of heirs of Mrs. Grady; thence with her line S. 53 degrees 30 E. 1093.0 feet to a stake in line of Jennie Slaton's; thence S 87 degrees E. 44.0 feet to a stake on the East side of new road; thence N. 30 degrees 40 E. 590.5 feet to the beginning, containing 11 .0 acres.

TRACT 4 20 ACRES

TRACT #4: Beginning at a stone the Southeast corner to Tract No. 3, and running with the New Division Line between Tracts No. 3 and No. 4 N 42 degrees 28' W. 1700 feet to a stone on the South Bank of Green River; thence up the River Bank N. 40 degrees 48' E 228 feet to a stone; thence with the New Division Line Between No. 4 and No. 5 S 53 degrees 45' E 2486 feet to a stake in the Old Line and in the C. W. Whitehouse; thence with the Old Line N 87 degrees 17' W. 1004 feet to the beginning, and containing 20 acres, more or less.

07/10/03

TRACT 5 "THREE SIDED TRACT"

TRACT #5: A tract of land, located about three miles North of Central City, and bounded as follows: Beginning at a point where a stone is now planted, and this point of this tract corners in the lands of C. W. Whitehouse and Nancy Graddy, and running thence with Nancy Graddy's line North 40° 42' W. 125 feet to a stone now planted at the corner of this lot in the line of J. W. Murphy; thence with the line of J. W. Murphy in about a Southerly direction 92 feet to a stone now planted in the line of C. W. Whitehouse, and where this tract and that of J. W. Murphy corner in the property line of said C. W. Whitehouse; thence with the line of C. W. Whitehouse in about an Easterly direction 90 feet to the point of beginning. This tract is a three-sided tract and is cut off of the extreme end of the tract of said J. W. Murphy.

Amos to Sentry Royalty Co.

016-175(T1&T2)

TRACT 1 – 8.0 ACRES

Tract #1: BEGINNING at a stake on North line of road the South East corner of Lot No. 2; thence with the road line S. 84 degrees 00' E. 200.0 feet to a stake; thence with a new division line N. 1 degree 00' W. 810.0 feet to a stake; thence 5. 89 degrees W. 112.0 feet to a stake; thence N. 1 degree 00' W. 615.0 feet to a stake, an old corner; thence with the old line N. 1 degree 20' W. 344.0 feet to a stake, an old corner; thence N. 86 degrees 50' W. 200.0 feet to a stake, corner to Lot No. 2; thence with Lot No. 2 S 1 degree 00' E. 941 .0 feet to a stake; thence N. 89 degrees 00' E. 113.00 feet to a stake; thence S. 1 degree 00' E. 815.0 feet to the beginning, containing 8.0 acres.

TRACT 2 – 8.0 ACRES

Tract #2: BEGINNING at a stake on North side of road, the South East corner to Lot No. 3; thence with the road line S. 84 degrees 00' E. 199.0 feet to a stone, an old corner; thence with the old line N. 1 degree 00' W 1411.5 feet to a stake; thence N. 84 degrees 30' W. 313.0 feet to a stake, an old corner, and corner to Lot No. 3; thence with Lot No. 3 S. 1 degree 00' E. 615.0 feet to a stake; thence N. 89 degrees 00' E. 112.0 feet to a stake; thence 5. 1 degree 00' E. 810.0 feet to the beginning, containing 8.0 acres.

07/10/03

160.3 ACRES LESS:

- (1) 5 TRACTS TOTALING 5-1/4 ACRES**
- (2) 016-210(T1) OF 112.1 ACRES**
- (3) 016-210(T2) OF 10 ACRES**
- (4) 016-220 OF 10 ACRES**
- (5) 13 ACRES**

Beginning at a sweet gum and black gum J. W. Ross' corner running thence N 1-1/2 W 1973 feet to a rock, thence N 88-1/2 W 1200 feet to a maple, sweet gum and hackberry; thence N 78-1/2 W 1188 feet to a stake on bank of creek; thence with the meanders of the creek S 83-1/2 W 200 feet, N 81 W 820 feet to a stake on the bank of Green River; thence with the meanders of the river S 77-1/2 W 475 feet to a stake; thence S 22-1/2 W 710 feet to a rock; thence S 68-1/2 E 1452 feet to a rock; thence S 1 E 1214 feet to a sweet gum; thence N 88-1/2 E 2825 feet to the beginning, containing 160-3/10 acres.

EXCEPTING AND RESERVING the following surface tracts:

TRACT 1. By deed dated May 16, 1906, recorded September 29, 1908 in Deed Book 75, page 48, Geo. W. Doss, Sr. and his wife, Elizabeth Doss, conveyed to T. L. Withrow the surface described as follows:

Beginning at a stone marked D.S. at the intersection of the Hartford and Greenville road with the South Carrollton and Rochester road the stone being located in the corner east of the Hartford & Greenville Road and north of the South Carrollton & Rochester road, and running thence East 186 feet to a stone marked D.S.; thence North 240 feet to a sweet gum on the bank of Green River; thence in a westerly direction 186 feet to a stone marked D.S.; thence in a southerly direction 240 feet to the beginning, containing 1 acre, more or less.

TRACT 2. By deed dated October 27, 1906, recorded September 29, 1908 in Deed Book 75, page 51, George W. Doss, Sr. and wife, Elizabeth Doss conveyed to T. L. Withrow the surface described as follows:

Beginning at a stone south side of Nelson Creek, Slaton's corner running in a southern direction 183 feet with his line to his corner; thence in a western direction 80 feet to a stone; thence in a northern direction parallel with first line 183 feet to stone on the south bank of Nelson Creek; thence up the creek 80 feet to the beginning.

TRACT 3. By deed dated July 1, 1907, recorded September 29, 1908, in Deed Book 75, page 52, George W. Doss and wife, Elizabeth Doss conveyed to T. L. Withrow the surface of property described as follows:

Beginning at a stone T. L. Withrow's corner on the bank of Nelson Creek at the river, running West with the River 222 feet to a rock; thence in a southern direction with said Withrow's line 185 feet to a stone; thence in an eastern direction 248 feet to Withrow's corner; thence in a northern direction with his line 185 feet to his corner, the place of beginning.

TRACT 4. By deed dated April 26, 1906, recorded July 30, 1907, in Deed Book 69, page 463, George W. Doss and his wife, Elizabeth Doss, conveyed to James R. Slaton the surface described as follows:

Beginning at a stone marked D.S. on the south bank of Nelson Creek running southeast 183 feet to a red elm, Doss' line; thence northeast 227 feet to a persimmon; thence northwest 183 feet to a stone marked D.S. on the bank of Nelson Creek; thence down the creek bank 227 feet to the beginning, containing 1 acre of ground, more or less.

TRACT 5. By deed dated August 5, 1920, recorded August 1, 1921, in Deed Book 108, page 558, George W. Doss, Sr. and his wife, Eller Doss, conveyed to Cecil Carson and wife, Geneva Carson, the surface of property described as follows:

Beginning at a planted rock on the east side of the South Carrollton and Paradise Road at the intersection of said road with the Central City and Hartford public road and running thence with the Paradise and South Carrollton road in an eastward direction 270 feet to a planted rock across the road from the residence of Geo. W. Doss, Sr.; thence in a northern direction at right angles 180 feet to a planted rock; thence at right angles and parallel with first line 270 feet to a planted rock; thence at right angles and parallel with second line 180 feet to the beginning corner, containing 1-1/4 acres, more or less.

TRACT 6: By deed dated July 13, 1907, recorded July 15, 1907 in Deed Book 70, page 413, George W. Doss and wife, Elizabeth Doss, conveyed to George W. Doss, Junior, the surface only of property described as follows:

Beginning at a rock, Whitehouse's line Doss and Whitehouse's corner, and running N 88-1/2 W 495 feet to a rock marked D; thence S 1-1/2 E 875 feet to a rock marked D; thence S 88-1/2 E 495 feet to a rock marked D in Ora Master's line; thence with

Master's line N 1-1/2 W 875 feet to the beginning, containing 10 acres.

TRACT 7: By deed dated February 18, 1911, recorded August 5, 1911 in Deed Book 80, page 411, George W. Doss, Sr. and his wife, Elizabeth Doss, conveyed to James H. Doss the property described as follows:

Beginning at a gum tree where the land corners with S. J. Gish and J. W. Ross and running north with Gish's line about 600 feet to a planted rock in Doss and Gish line at present the corner of Doss field, and at the end of a lane; thence in line with Doss field fence N 86 E 726 feet to a planted rock in the woods; thence at right angles 600 feet, more or less, to a planted rock; thence 726 feet, to the beginning corner containing 10 acres.

TRACT 8: By deed dated September 20, 1919, recorded May 14, 1920, in Deed Book 104, page 343, G. W. Doss Sr. and wife, Ella Doss, conveyed to R. L. Bennett the property described as follows:

Beginning at a maple, elm and hackberry on the bank of Nelson Creek near the end of a bridge; thence N 78-15 W 1135 feet to a mulberry; thence S 24 W 174 feet to a stone; thence S 49 W 165 feet to a stone; thence S 47-45 W 567 feet to a stone on the north side of the road; thence S 63-30 E 277 feet to a stone in the forks of the road; thence S 7 W 696 feet to a point in the road in line of Central Land Co., and corner to C. H. Ralph; thence with his land S 67 E 736 feet to a hickory; thence S 6 E 543 feet to a stake in the line of J. W. Ross; thence with Ross' land N 88-35 E 2083 feet to a large sweet gum; thence leaving Ross N 0-40 W 1109 feet to a stone corner to George Doss, Jr.; thence N 89 W 491 feet to a stone; thence N 2 W 868 feet to a stone; thence N 88-15 W 710 feet to the beginning, containing 112.1 acres.

TRACT 9: By deed dated March 4, 1975, recorded in Deed Book 312, page 349, Peabody Coal Company conveyed to Charles Doss, Cecil H. Doss, Eugene Doss, Joe Doss, Kenneth Doss and Edith Morris by quitclaim the surface only to 13 acres, described as follows:

Beginning at a stake on the Waterworks Road, said stake being 740 feet from the intersection with Kentucky State Highway #277, and running thence S 64-30 E 720 feet with the original line to a stake in the right of way line of Kentucky State Highway #277; thence with the right of way line of said Highway N 87-30 E 428 feet; thence leaving the said Highway right of way line and running in a northwesterly direction 715 feet to a stake on the old road S 85 E 135 feet; thence with said road S 85 E 135 feet;

thence still with said road S 71-30 E 320 feet; thence continuing with said road N 81-30 E 320 feet; thence continuing with said road N 81-30 W 130 feet; thence still continuing with the road N 66 W 270 feet to its intersection with the Waterworks Road; thence with the Waterworks Road; thence with the Waterworks Road 27-30 W 470 feet to the point of beginning, containing 13 acres, more or less.

Fulkerson to Peabody Coal Co.

016-742

52 ACRES LESS 2.21 ACRES

Beginning at a rock William Sharp's Northeast corner running thence with the public road S. 21 degrees, 50 minutes W. 158.5 ft., S. 5 degrees 13minutes E. 246 ft., S. 0 degrees 9 minutes W. 577 ft., S. 19 degrees, 22 minutes E. 156.5 ft., S. 22 degrees 40 minutes W. 255.5 ft to a stake or rock on the E. side of the road; thence S. 47 degrees E. 1120 ft., to a point in Staple's line which is North 39 degrees, 45 minutes E. 395 ft. from his corner a small Ash; thence N. 39 degrees, 45 minutes E. 1930 ft. to a rock Staples and Harper's corner; thence N. 43 degrees 45 minutes W. 951 ft. to a rock near the road Harper's corner; thence N. 77 Degrees 4 minutes W. 1057 ft. to the beginning containing 52 acres.

LESS AND EXCEPTED FROM THE ABOVE BOUNDARY:

Beginning at a "x" on a rock on the east side of the Preacher King Road, said rock being the former southwest corner of a 52 acre tract owned by Ernest Fulkerson as of the date of this instrument and said rock having the general location of North 369,700 feet--East 1,622,100' on the Kentucky State Plane Coordinate System, thence with the east right of way of the Preacher King Road North 33 degrees 54 minutes 41 seconds East-94.78 feet to a point in the right of way; thence North 25 degrees 35 minutes 50 seconds East-57.98 feet to a point in the right of way; thence North 15 degrees 51 minutes 12 seconds East-47.81 feet to a point in the right of way; thence North 7 degrees 51 minutes 54 seconds East-102.38 feet to a pipe; thence, leaving the road, South 69 degrees 20 minutes 01 second East-293.21 feet to a pipe; thence South 24 degrees 04 minutes 18 seconds West-417.87 feet to a pipe; thence North 45 degrees 18 minutes 37 seconds West-293.84 feet to the beginning containing 2.21 acres as per the survey of Jerry W. Southard--Registered Land Surveyor #2082 and dated April 3, 1979.

**23.9 ACRES LESS APPROXIMATELY
1.196 ACRES;
7 ACRES; AND,
10.2 ACRES**

Tract 1: 23.9 Acres. Beginning at a stake in Mrs. Monaghan's line, said stake bearing N. 64 W. 610.5 feet from a mine car axle, Mrs. Monaghan's Northeast corner; thence from said stake N. 21 degrees E. 842 feet to a stake; thence N. 0.30 E. 721 feet to a stake on the North side of the road leading from South Carrollton to Kincheloe's ferry; thence with said road N. 89 W. 537 feet to a stake in the old line; thence with said old line S. 23 degrees W. 1268 feet to a stake; thence S. 64 E. 825 feet to the place of beginning, containing 23.9 acres.

Except for approximately 0.100, 0.792 and 0.304 acres respectively, comprising approximately 1.196 acres of the following described 1.486 acre tract:

Parcel No. 2C

Beginning at a point 19.401 meters (63.65 feet) left of new road station 3+554.101; thence North 26 degrees 25 minutes 37 seconds West, 41.404 meters (135.84 feet) to a point 19.000 meters (62.34 feet) left of new road station 3+600.000; thence North 40 degrees 29 minutes 57 seconds West, 43.785 meters (143.65 feet) to a point 19.000 meters (62.34 feet) left of new road station 3_648.500; thence North 57 degrees 33 minutes 22 seconds West, 58.506 meters (191.95 feet) to a point 19.816 meters (65.01 feet) left of new road station 3+713.574; thence North 33 degrees 32 minutes 00 seconds East, 20.070 meters (65.85 feet) to a point .000 meters (0.00 feet) right of new road station 3+710.219; thence North 33 degrees 32 minutes 00 seconds East, 17.218 meters (56.49 feet) to a point 17.037 meters (55.89 feet) right of new road station 3+707.830; thence South 63 degrees 39 minutes 20 seconds East, 66.070 meters (216.76 feet) to a point 26.000 meters (85.30 feet) right of new road station 3+648.500; thence South 27 degrees 35 minutes 17 seconds East, 111.946 meters (367.28 feet) to a point 15.295 meters (50.18 feet) right of new road station 3+545.796; thence South 83 degrees 04 minutes 17 seconds West, 15.727 meters (51.60 feet) to a point .000 meters (0.00 feet) right of new road station 3+549.453; thence South 83 degrees 04 minutes 17 seconds West, 19.947 meters (65.44 feet) to the point of beginning.

The above described parcel contains .601 hectares (6,014 sq. meters, 1.486 acres, 64,729 sq. ft.).

Tract 2: 7 Acres. Beginning at an iron pipe, R. C. Vaught's corner in Mrs. Monaghan's line; thence with her line S. 64-00 E. 313 feet to an iron pipe; thence with the lands of the Central Land Company, N. 21-00 E. 965 feet to an iron pipe; thence further with said land Co.'s lands N. 64-00 W. 361.5 feet to an iron pipe in R. C. Vaught's line; thence with two of Vaught's lines S. 21-00 W. 842 feet to the beginning, containing 7 acres.

Tract 3: 10.2 Acres. Beginning at the Northeast corner of the Perry Harris 7 acre tract, now owned by O. S. Turpin; thence N. 21-15 E. 1024.5 feet to an iron pipe; thence N. 60-15 W. 205.5 feet to an iron pin on south line of road leading to Kincheloe Bluff, said pin being 30 feet Southwest from the Foley corner; thence with said road line S. 59-10 W. 610 feet to a stone on the Northeast corner of the Roscoe Vaught 23.9 acre tract, now owned by O. S. Turpin; thence S. 15 E. 589 feet to a stake, corner of the above 7 acre tract; thence S. 63-45 E. 361.5 feet to the beginning, containing 10.2 acres.

Eastern Land to River Queen Coal Co.

025-262

24.61 ACRES

Beginning at a fence corner in the North line of the Old Lewisburg Road, said corner being common to the lands formerly owned by Devine, Gish and Dixon, thence (a) along the North line of said road the following calls: (i) South 57 degrees 30 minutes West for 482.4 feet (formerly 500 feet), (ii) South 61 degrees 15 minutes West for 104.0 feet, (iii) North 88 degrees 00 minutes West for 28.0 feet, to the Northeast corner of the Eaves property; (b) leaving the road North 22 degrees 30 minutes East for 1535.6 feet to the Normal Pool line of Green River; (c) with the river South 76 degrees 15 minutes East for 630.0 feet; (d) leaving the river South 4 degrees 30 minutes West for 280.0 feet; (e) South 9 degrees 00 minutes West for 395.0 feet; and (f) South 11 degrees 45 minutes West for 320.0 feet to the place of beginning. Containing 24.61 acres, more or less.

PCC to PDC

1304-001(T1A)

916.71 ACRES

Beginning at an iron axle the Southeast corner of the "Heck" tract, thence S 81° 47' W with the south line of "Heck" for 3637.4 feet to a stump; thence N 70° 32' W for 923.8 feet to a gum; thence N 24° 57' W for 678.3 feet to a rock; thence N 72° 26' W for 3,438.3 feet; thence S 17° 04' W for 2714.6 feet; thence S 71° 08' E for 1011.3 feet; thence S 39° 56' W for 1151.6 feet to an iron axle; thence S

07/10/03

23° 19' E for 63.2 feet; thence S. 35° 50' E for 1677.5 feet; thence S 35° 47' E for 2,159.7 feet; thence N 53° 13' E for 1725.5 feet to a 3" iron axle; thence S 14° 01' E for 2547.8 feet to a 3" iron axle; thence N 71° 56' E for 2,163.7 feet, to a 2" iron axle; thence N 12° 15' W for 2663.7 feet to a road; thence N 69° 53' E for 342.9 feet, S 67° 35' E for 401.3 feet, s 49° 37' E for 228.4 feet, thence N 15° 46' W for 1000.6 feet, thence S 83° 45' E for 1514.0 feet; thence N 13° 42' E for 2,573.3 feet to the southeast corner of the church lot, thence N 80° 00' W for 289.0 feet to a point which is 30 feet east of the center line of U. S. Highway 62, thence parallel with Highway 62 and 30 feet east of its center line N 36° 10' E for 70.0 feet, N 28° 50' E for 75.0 feet, N 21° 25' E for 95.0 feet, thence leaving the highway s 80° 00' E for 230.0 feet to a point in the old line, thence with the old line N 13° 42' E for 370.0 feet to the place of beginning. Containing 916.71 acres more or less

PCC to PDC

1304-001(T1B)

27.53 ACRES

Beginning at a rock corner (formerly a sweet gum) being the southwest corner of parcel 8 tract 15 of a certain deed from Greenville Coal Company to W. A. Wickliffe Coal Company dated November 14, 1947 and recorded in Deed Book 164, page 199 of the Muhlenberg County Court Clerk's office; thence N 6-30 E for 126.4 feet; thence S 83-00 E for 5404 feet; thence S 24-05 W 883 feet to a point in the north line of the Heck Tract; thence with Heck's line N 52-50 W for 1423 feet to a rock Muir's corner thence N 83-10 W 2124 feet passing the center line of the Illinois Central Railroad at 1098 feet, thence N 83-15 W for 1788 feet to the place of beginning. Containing 27.53 acres more or less.

Ely, W. Jane and Lawrence E.

1916-010

0.479 ACRES

Beginning at a stake in the west line of the highway leading from Central City to Kincheloe Bluff, said stake being n26.15e 106.5 feet from the corner of the property now owned by C. E. Wood, and 30 feet from the center of the road; thence with said road n26.15e 100 feet to a stake; thence n63.45w 208.75 feet to a stake; thence s26.15w 100 feet to a stake; thence s63.45e 208.75 feet to the beginning.

Armour, Danny G. and Lisa A.

1926-138

208.75' X 100' SURFACE TRACT

Beginning at a post on West side of Highway leading from Central City to Kincheloe Bluff, 40 feet from center of Highway and corner to lot of Elizabeth Pointer; thence with the Pointer line N. 63 degrees 45 minutes W. 208.75 feet to corner post of Elizabeth Pointer; thence S. 26 degrees, 15 minutes 100.0 feet to an iron pin; thence S. 63 degrees 45 minutes E. 208.75 feet to a post 40 feet from center of above road; thence with the road N. 26 degrees 15 minutes E. 100.0 feet to the point of beginning.

Armour, Bobby W. and Deborah J.

1926-139

208.75' X 75' SURFACE TRACT

Beginning at a post on the North side of the Highway leading to Kincheloe Bluff, and 40 feet from center of same, and being a corner of lot formerly sold to Fannie Mae Griffith, thence with said lot line N 63 [degrees] 45' W 208.75 feet to a stake; thence N. 26 [degrees] 15' E 75.0 feet to an iron pin; thence S 63 [degrees] 45' E 208.75 feet to an iron pin in the North right-of-way line of above road; thence S 26 [degrees] 15' W 75.0 feet to the beginning.

**208.75' X 100' SURFACE TRACT
(.47-ACRES)**

Beginning at a post on the West side of the Central City and Kincheloe Bluff Road, said post is 40 feet Westerly from center of said road and 361.0 feet in a Southerly direction from center of road leading in to Green River Chapel; thence from said post N 63 [degrees] 45' W 208.75 feet to a post; thence S 26 [degrees] 15' W 100 feet to a post; thence S 63 [degrees] 45' E 208.75 feet to a post 40 feet from center of road; thence parallel with the road N 26 [degrees] 15' E 100 feet to the beginning, containing .47 acres (47/100).

Pointer, William L. & Wanda L.

1926-135

1.01 ACRE SURFACE TRACT

Tract #1: Beginning at a stake which bears N. 79 degrees W. 373.0 feet from a stone, the Southwest corner of the George Doss property; thence with said stake N. 85 degrees W. 208.75 feet to a stake; thence S. 5 degrees W. 208.75 feet to a stake; thence S 85 degrees E. 208.75 feet to a stake; thence N. 5 degrees E. 208.75 feet to the beginning.

07/10/03

There is excepted from the above-described tract of land a certain tract of land conveyed to Gary Lee Pointer and Rickard Wayne Pointer, by Lois Pointer and wife, Martha Pointer, by deed dated September 14, 1966, and now of record in the office of the Muhlenberg County Clerk in Deed Book 254, page 604.

Tract #2: Beginning at a stake which bears North 69 degrees West 373.0 feet from a stone, the Southwest corner of the George Doss property; thence from said stake North 85 degrees West 280.75 to a stake; thence South 5 degrees West 69.58 feet to a stake; thence South 85 degrees East 208.75 feet to a stake; thence North 85 degrees East 69.58 feet to the point of beginning.

Simpson, David M. & Jean

025-727

4.83 LESS 1.486 ACRES

Beginning at an iron stake in the eastern margin of Old South Carrollton Road thence N 67-29 E 245.2 feet to an iron drive shaft, corner to Eaves; thence S 70-18 E 68.6 feet to a fence post; thence S 62-58 E 468.5 feet to an angle iron in the Peabody Coal Company line; thence S 71-30 W 686.1 feet to a concrete market I the eastern boundary of Old South Carrollton Road; thence with the eastern boundary of said road N 8-30 W 368 feet to the point of beginning, containing 4.83 acres, more or less according to survey of Charles R. Starr, Registered Land Surveyor No. 1205 made November, 1977.

Except for approximately 0.29 acres of the following described tract of 1.486 acres:

Beginning at a point 19.401 meters (63.65 feet) left of new road station 3+554.101; thence North 26 degrees 25 minutes 37 seconds West, 41.404 meters (135.84 feet) to a point 19.000 meters (62.34 feet) left of new road station 3+600.000; thence North 40 degrees 29 minutes 57 seconds West, 43.785 meters (143.65 feet) to a point 19.000 meters (62.34 feet) left of new road station 3_648.500; thence North 57 degrees 33 minutes 22 seconds West, 58.506 meters (191.95 feet) to a point 19.816 meters (65.01 feet) left of new road station 3+713.574; thence North 33 degrees 32 minutes 00 seconds East, 20.070 meters (65.85 feet) to a point .000 meters (0.00 feet) right of new road station 3+710.219; thence North 33 degrees 32 minutes 00 seconds East, 17.218 meters (56.49 feet) to a point 17.037 meters (55.89 feet) right of new road station 3+707.830; thence South 63 degrees 39 minutes 20 seconds East, 66.070 meters (216.76 feet) to a point 26.000 meters (85.30 feet) right of new road station 3+648.500; thence South 27 degrees 35 minutes 17 seconds East, 111.946 meters (367.28 feet) to a point 15.295 meters (50.18 feet)

right of new road station 3+545.796; thence South 83 degrees 04 minutes 17 seconds West, 15.727 meters (51.60 feet) to a point .000 meters (0.00 feet) right of new road station 3+549.453; thence South 83 degrees 04 minutes 17 seconds West, 19.947 meters (65.44 feet) to the point of beginning.

The above described parcel contains .601 hectares (6,014 sq. meters, 1.486 acres, 64,729 sq. ft.).

Amax, Inc.

**1916-005
(D1, D2, & D3)**

TRACT D1 - 2 ACRES

Beginning at a rock in the South edge of an old lane; thence N 2 W 420 feet to a rock; thence in a Western direction 210 feet to a rock; thence in a Southern direction 420 feet to a rock; thence in an Eastern direction 210 feet to the beginning, containing 2 acres.

TRACT D2 - 3 ACRES LESS 1-1/2 ACRES

Beginning at the North corner of G. W. Doss, Jr., and running East 315 feet to a stone; thence in a Southerly direction 420 feet to a stone; thence in a Westerly direction 315 feet to G. W. Doss, Jr. line; thence with said line 420 feet to the beginning, containing 3 acres.

There is excepted from the above boundary the following:

The surface of a parcel conveyed to A. E. Doss and his wife, Verna Doss, by G. W. Doss and his wife, Maggie Mae Doss, by deed dated February 10, 1945, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 182, page 531, and bounded as follows:

Beginning at the North corner of G. W. Doss, Jr. and running East 190-1/2 feet to a stone; thence in a Southerly direction 410 feet to a stone; thence in a Westerly direction 190-1/2 feet to G. W. Doss, Jr., line; thence with said line 410 feet to the beginning, containing one and one half acres.

TRACT D3 - 1-1/2 ACRES

Beginning at the North corner of G. W. Doss, Jr. and running East 190-1/2 feet to a stone; thence in a Southerly direction 410 feet to a stone; thence in a Westerly direction 190-1/2 feet to G. W. Doss, Jr., line; thence with said line 410 feet to the beginning, containing one and one half acres.

Amax, Inc.

1916-005(T412)

5.06 ACRES

Beginning at a stake Clarence F. Doss's northeast corner in Jennie Slayton's line; thence N 1-45 W 241.2 feet to a stake, corner to Jennie Slayton property; thence N 86-45 W 927 feet to a stake in line of heirs of Adam Whitehouse; thence S 6-45 E 241.2 feet to a stake, corner to Clarence F. Doss; thence S 86-45 E 906 feet to the beginning, containing 5.06 acres, more or less.

Amax, Inc.

1916-005(T411-5)

15.2 ACRES

BEGINNING at the Northeast corner of the Jennie Slaton 2.2 acre tract, a corner of Fillmore Reed's property; thence N 1 degree W 530.6 feet to a stake; thence N 87 degrees 17' W 1232.0 feet to a stone, corner to Heirs of Adam Whitehouse and in line of Will Murphy; thence S 6 degrees 45' E 585.0 feet to corner of A. E. Doss and wife; thence S 86 degrees 45' E 927.0 feet to a stake; thence N 1 degrees 45' W 52.3 feet to a stake; thence S 87 degrees E 226.0 feet to the beginning, containing 15.2 acres more or less.

Amax, Inc.

1916-005(T411-4)

19 ACRES

Beginning at a stone in west side of road corner to McClellan Withrow and J. R. Slaton; thence with Slaton's line S 3.55 W 650 feet to a stone; thence with new division line between tracts nos 6 and 7, N 69.35 W 1987 feet to a stone on the south bank of Green River; thence up the river bank N 29.30 E 244 feet to a stone in the old corner to McClellan Withrow; thence with the same S 81.43 E 1808 feet to the beginning, containing 19 acres, more or less.

Amax, Inc.

1916-005(T411)

30 ACRES

Beginning at a planted rock and a hickory tree an original corner running thence East 54 poles to a planted stone and a hickory near a gate; thence South 89 poles to a planted stone on the South bank of Nelson Creek; thence West 54 poles to a sweet gum and two hornbeams; thence North 89 poles to the beginning containing 30 acres by survey made by James Nunam.

Amax, Inc.

1916-005(T410)

1.04 ACRES

Beginning at a rock marked "D" at Northwest corner of 10 acre tract; thence with the old line and call S. 01-30 E. 59.5 feet, more or less, to an iron pin in the North right-of-way line of Ky Highway 277; thence with said North right-of-way line of said Highway S. 81-15 E. 356 feet to a stake in said line; thence still with said right-of-way S. 86-44 E. 138 feet to an iron pipe in the East line of the 10 acre tract in the North right-of-way line of said Highway; thence N. 01-30 W with the Whitehouse tract 103 feet to a stake at the Northeast corner of the 10 acre tract, a rock called for, now gone; thence with the line of the Whitehouse tract and running on old call N. 88-30 W. 495 feet to the beginning, containing 1.04 acres, more or less.

Amax, Inc.

1916-005(T409)

10.14 ACRES

BEGINNING at a stone, an old corner of the Edith Doss 2.2 acre tract in line of John Divine; thence N 1 degrees 45' W 564.5 feet to a stake in line of Jennie Slayton, and corner of A. E. Doss; thence N 86 degrees 45' W 906.0 feet to a stake, corner to A. E. Doss in line of Heirs of Adam Whitehouse; thence S 6 degrees 45' E 165.8 feet to center of county road, corner to Nannie Graddy, and heirs of Adam Whitehouse; thence S 7 degrees W. 309.0 feet to a stone in line of Nannie Graddy and corner to Ben Divine; thence S 81 degrees 30' E 947.0 feet to the beginning, containing 10.14 acres, more or less.

Amax, Inc.

1916-005(T408)

10.3 ACRES

Beginning at a stone on the south bank of Green River, corner to D. H. Whitehouse and running thence S 38.42 E 264 feet to a stone in a beech stump, old corner of James Weirs; thence S 7.05 W 505 feet to an elm and a mulberry in James Weir's line on the N bank of Nelson Creek; thence down the creek in a Westerly direction with the meanders thereof 1,250 feet to a stake on the bank of Green River at the mouth of said creek; thence up the Green River with the meanders thereof N 68 E 350 feet; N 57 E 80 feet to the beginning, containing 10.3 acres by survey.

Amax, Inc.

1916-005(T406-6)

2 ACRES

Beginning at a stone in the South edge of the Ceralvo Road and running with the South side of said road S 81-30 E 400 feet to a stone in the edge of an old lane; thence S 3-3/4 W 200 feet to a stone, John Devine's corner, now Ayrshire Collieries Corporation; thence S 88 1/2 W with Ayrshire Collieries Corporation line 405 feet to a stone; thence N 7 E 263 feet to the beginning, containing 2 acres, more or less.

Amax, Inc.

1916-005(T406-5)

31 ACRES

Beginning at a hackberry tree on the West Bank of a branch of Nelson Creek, an old corner, thence with land of R. L. Bennett N. 77 45 W. 1117 feet to a white oak; thence still with Bennett N. 7-05 E. 505 feet to a stone in an old beech stump; thence still with Bennett N. 38-40 W. 264 feet to a stone on the South bank of the Green River; thence up the river bank N. 47- E. 145 feet, N. 53-30 F. 367 feet; N. 58 05 F. 456 feet to a stone with oak and locust pointers; thence with Tract No. 2, a new division line S. 28-24 E. 1740 feet to a stone in a line of R. L. Bennett; thence with the old line N. 85-45 W. 420 feet to the beginning, containing 31 acres, more or less.

Amax, Inc.

1916-005(T403)(P1)

12.9 ACRES

BEGINNING at a stone in the old line corner of George Doss property; thence S 1 degrees 30' E 110.5 feet to the center of the county road, a corner to property of Nannie Graddy; thence with said road N 83 degrees E. 160.0 feet; N 73 degrees 30' E 180.0 feet; N 66 degrees E 360.0 feet to corner of Clarence Doss and Nannie Graddy in center of said road; thence N 6 degrees 45' W. 992.0 feet with property of Clarence Doss, A. E. Doss and Jennie Slayton to a stone in line of Will Murphy; thence N 87 degrees 17' W 233.0 feet to corner of 2.2 acre tract of Adam Whitehouse; thence S 0 degree 42' W 315.0 feet to stake; thence N 87 degrees 17' W 315.0 feet to a stake in the old line; thence with same S 0 degree 42' W 773.4 feet to the beginning, containing 12.9 acres, more or less.

Amax, Inc.

1916-005(T403)(P2)

32.5 ACRES

Beginning at a stone, an old corner in the line of C. W. Whitehouse and corner to George Doss, thence with land of George Doss and R. L. Bennett N 85-45 minutes W 788 ft. to a stone, southeast corner of Tract No. 1; thence with the new division line between tracts 1 and 2, N 28-24 W 1740 ft. to a stone on the south bank of Green River, with oak and locust pointers; thence up the river bank N 63-45 E 521 ft. to a stone with black oak pointers; thence with the new division line between tracts 2 and 3, S 40-42 E 1762 ft. to a stone in the old line and in line of C. W. Whitehouse; thence with same S 0-42 W 482.4 ft. to the beginning, containing 32.5 acres, more or less.

Amax, Inc.

1916-005(T402)

28.5 LESS "THREE SIDED TRACT"

Beginning at a stone an old corner where gum once stood also corner to C. W. Whitehouse thence with the ole line S 0-42 W 606 feet to a stone; thence with a new division line between tracts 2 and 3, N 40-42 W 1762 feet to a stone with Black oak pointer on the South bank of Green River; thence up the river bank N 60-18 E 357 feet; N 47-40 E 462 feet to a stone; thence with a new division line between tracts 3 and 4, S 42-38 E 1700 feet to a stone in the old line of C. W. Whitehouse; thence with the old line N 87-17 W 649 feet to the beginning, containing 28.5 acres more or less.

Less and Excepted the surface only to the following described tract:

A tract of land, located about three miles North of Central City, and bounded as follows: Beginning at a point where a stone is now planted, and this point of this tract corners in the lands of C. W. Whitehouse and Nancy Grady, and running thence with Nancy Grady's line North 40° 42' W. 125 feet to a stone now planted at the corner of this lot in the line of J. W. Murphy; thence with the line of J. W. Murphy in about a Southerly direction 92 feet to a stone now planted in the line of C. W. Whitehouse, and where this tract and that of J. W. Murphy corner in the porperty line of said C. W. Whitehouse; thence with the line of C. W. Whitehouse in about an Easterly direction 90 feet to the point of beginning. This tract is a three-sided tract and is cut off of the extreme end of the tract of said J. W. Murphy.

Amax, Inc.

1916-005(T401)

6 ACRES

Beginning at a gum tree in the old line, a corner of John Divine and C. W. Whitehouse; thence with the old line N 86 degrees E 571.5 feet to a stake corner to property of Ben Divine, in line of John Divine; thence N 7 degrees E 566.0 feet to a point in center of the new county road, a corner to property of Clarence Doss and heirs of Adam Whitehouse; thence with center of said road and with property of Heirs of Adam Whitehouse S 66 degrees W 360.0 feet; S 73 degrees 30' W 180.0feet; S 83 degrees 00' W 160.0 feet to a point in the old line; thence S 1 degree 30' E 364.5 feet to the beginning, containing 6.0 acres, more or less.

Amax, Inc.

1916-005(T400)

76 ACRES

Beginning at a rock, D. H. Whitehouse's Jr. corner, and running thence S 88 & 1/2 W 960 feet to a stake in the old line; thence with old line S 1 & 1/2 E 1175 feet to Brinkman's corner; thence N 88 & 1/2 E 2475 feet to a stake, John Devine's corner; thence with his line N 14 & 3/4 E 1072 feet to a walnut, Devine's corner in the old line; thence N 83 & 1/2 W 1768 feet to a stake on South side of the road, thence S 3 & 3/4 W 200 feet to the beginning, containing seventy-six acres, more or less.

J. R. Slaton to Gibraltar Coal Co.

1916-005(Tr. B)

2 ACRES

Beginning at a stone at the North corner of Slaton's land and running East 210 feet to a black oak; thence 420 feet in a Southerly direction to a stone; thence 210 feet in a Westerly course to the corner of G. W. Doss, Jr.; thence 420 feet to the beginning, containing 2.0 acres.

THOROUGHBRED GENERATING COMPANY, LLC

APPLICATION for a CERTIFICATE TO CONSTRUCT a MERCHANT ELECTRIC GENERATING FACILITY

8.2.2 Legal Boundaries SB 257 5(3)(a)2 Property Deeds

**Prepared by:
Thoroughbred Generating
Company, LLC
July 2003**

DEED OUT

COPY

025-803-00

OUT OF:

025-226 (T1)

025-236 (T1)

025-727

DEED OF CONVEYANCE

THIS DEED, between Peabody Coal Company, a Delaware corporation, at 701 Market Street, Suite 765, St. Louis, Missouri 63101 and Peabody Development Company, a Delaware corporation, at 301 North Memorial Drive, Suite 310, St. Louis, Missouri 63102, Grantors, and the Commonwealth of Kentucky for the use and benefit of the Transportation Cabinet, Department of Highways, Frankfort, Kentucky, 40622, Grantee;

WITNESSETH: That the Grantors in consideration of Two Thousand One Hundred Dollars (\$2,100.00) cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and do hereby sell, grant and convey to the Grantee, its successors and assigns forever, the following described property and property rights, viz:

A parcel of land located in **Muhlenberg** County, Kentucky, and being more particularly described as follows:

Parcel No. 2

Beginning at a point 3.758 meters (12.33 feet) right of new road station 3+008.462; thence North 50 degrees 27 minutes 13 seconds West, 51.513 meters (169.00 feet) to a point 17.400 meters (57.09 feet) right of new road station 3+058.135; thence South 69 degrees 42 minutes 38 seconds East, 38.224 meters (125.41 feet) to a point 20.000 meters (65.62 feet) right of new road station 3+020.000; thence South 89 degrees 43 minutes 57 seconds East, 19.729 meters (64.73 feet) to a point 28.000 meters (91.86 feet) right of new road station 3+001.966; thence South 39 degrees 11 minutes 24 seconds West, 25.097 meters (82.34 feet) to the point of beginning.

The above described parcel contains .052 hectares (517 sq. meters, .128 acres, 5,568 sq. ft.).

It is the specific intention of the grantors to except all coal, oil and gas and other minerals of any nature whatsoever in or under the above described real property, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods.

Parcel No. 2A

Beginning at a point 20.000 meters (65.62 feet) right of new road station 3+020.000; thence North 69 degrees 42 minutes 38 seconds West, 36.084 meters (118.38 feet) to a point 17.545 meters (57.56 feet) right of new road station 3+056.000; thence North 24 degrees 11 minutes 24 seconds East, 12.455 meters (40.86 feet) to a point 30.000 meters (98.43 feet) right of new road station 3+056.000; thence South 65 degrees 48 minutes 36 seconds East, 36.000 meters (118.11 feet) to a point 30.000 meters (98.43 feet) right of new road station 3+020.000; thence South 24 degrees 11 minutes 24 seconds West, 10.000 meters (32.81 feet) to the point of beginning.

The above described parcel contains .040 hectares (404 sq. meters, .100 acres, 4,351 sq. ft.).

It is the specific intention of the grantors herein to convey a construction easement to the property described above for the purpose of construction; said easement terminates and reverts upon completion of same.

Parcel No. 2B

Beginning at a point 17.545 meters (57.56 feet) right of new road station 3+056.000; thence North 69 degrees 42 minutes 38 seconds West, 2.140 meters (7.02 feet) to a point 17.400 meters (57.09 feet) right of new road station 3+058.135; thence North 50 degrees 27 minutes 13 seconds West, 22.674 meters (74.39 feet) to a point 23.405 meters (76.79 feet) right of new road station 3+080.000; thence North 24 degrees 11 minutes 24 seconds East, 6.595 meters (21.64 feet) to a point 30.000 meters (98.43 feet) right of new road station 3+080.000; thence South 65 degrees 48 minutes 36 seconds East, 24.000 meters (78.74 feet) to a point 30.000 meters (98.43 feet) right of new road station 3+056.000; thence South 24 degrees 11 minutes 24 seconds West, 12.455 meters (40.86 feet) to the point of beginning.

The above described parcel contains .024 hectares (237 sq. meters, .058 acres, 2,547 sq. ft.).

It is the specific intention of the grantors herein to convey a temporary easement to the property described above for the purpose of building removal; said easement terminates and reverts upon completion of same.

Parcel No. 2C

Beginning at a point 19.401 meters (63.65 feet) left of new road station 3+554.101; thence North 26 degrees 25 minutes 37 seconds West, 41.404 meters (135.84 feet) to a point 19.000 meters (62.34 feet) left of new road station

3+600.000; thence North 40 degrees 29 minutes 57 seconds West, 43.785 meters (143.65 feet) to a point 19.000 meters (62.34 feet) left of new road station 3+648.500; thence North 57 degrees 33 minutes 22 seconds West, 58.506 meters (191.95 feet) to a point 19.816 meters (65.01 feet) left of new road station 3+713.574; thence North 33 degrees 32 minutes 00 seconds East, 20.070 meters (65.85 feet) to a point .000 meters (0.00 feet) right of new road station 3+710.219; thence North 33 degrees 32 minutes 00 seconds East, 17.218 meters (56.49 feet) to a point 17.037 meters (55.89 feet) right of new road station 3+707.830; thence South 63 degrees 39 minutes 20 seconds East, 66.070 meters (216.76 feet) to a point 26.000 meters (85.30 feet) right of new road station 3+648.500; thence South 27 degrees 35 minutes 17 seconds East, 111.946 meters (367.28 feet) to a point 15.295 meters (50.18 feet) right of new road station 3+545.796; thence South 83 degrees 04 minutes 17 seconds West, 15.727 meters (51.60 feet) to a point .000 meters (0.00 feet) right of new road station 3+549.453; thence South 83 degrees 04 minutes 17 seconds West, 19.947 meters (65.44 feet) to the point of beginning.

The above described parcel contains .601 hectares (6,014 sq. meters, 1.486 acres, 64,729 sq. ft.).

It is the specific intention of the grantors to except all coal, oil and gas and other minerals of any nature whatsoever in or under the above described real property, together with the right to explore for, develop, mine and produce the same by any means except by surface mining methods.

Parcel No. 2D

Beginning at a point 17.635 meters (57.86 feet) right of new road station 3+690.000; thence North 69 degrees 51 minutes 18 seconds East, 36.427 meters (119.51 feet) to a point 18.000 meters (59.06 feet) right of haul road connector station 4+960.000; thence North 77 degrees 43 minutes 30 seconds East, 75.813 meters (248.73 feet) to a point 13.000 meters (42.65 feet) right of haul road connector station 4+880.000; thence North 42 degrees 17 minutes 03 seconds East, 46.230 meters (151.67 feet) to a point 10.000 meters (32.81 feet) right of haul road connector station 4+830.000; thence South 55 degrees 05 minutes 27 seconds East, 20.000 meters (65.62 feet) to a point 10.000 meters (32.82 feet) left of haul road connector station 4+830.000; thence South 36 degrees 03 minutes 32 seconds West, 53.468 meters (175.42 feet) to a point 13.000 meters (42.65 feet) left of haul road connector station 4+880.000; thence south 53 degrees 19 minutes 05 seconds West, 36.272 meters (119.00 feet) to a point 19.000 meters (62.34 feet) left of haul road connector station 4+910.000; thence South 58 degrees 43 minutes 05 seconds West, 50.773 meters (166.58 feet) to a point 19.612 meters (64.34 feet) right of new road station 3+630.000; thence North 27 degrees 35 minutes 17 seconds West, 21.568 meters (70.76 feet) to a point 26.000 meters (85.30 feet) right of new road station 3+648.500;

thence North 63 degrees 39 minutes 20 seconds West, 46.692 meters (153.19 feet) to the point of beginning.

The above described parcel contains .513 hectares (5,133 sq. meters, 1.268 acres, 55,248 sq. ft.).

It is the specific intention of the grantors herein to convey a construction easement to the property described above for the purpose of construction; said easement terminates and reverts upon completion of same.

The above described property being a portion of the same property conveyed to the Grantor Peabody Coal Company, a Delaware corporation, by **Peabody Coal Company, an Illinois corporation**, by deed bearing the date of **March 29, 1968**, which is duly recorded in **Deed Book 264** at Page **1** in the office of the County Clerk of **Muhlenberg** County, Kentucky.

Also conveyed to the Grantor, Peabody Development Company, a Delaware corporation, by **Peabody Coal, a Delaware corporation**, by deed bearing the date of **September 12, 1989**, which is duly recorded in **Deed Book 398** at Page **37** in the office of the County Clerk of **Muhlenberg** County, Kentucky.

This proposed public highway improvement for which the above described property is being acquired is identified as the **Connector Rd., State Project No. SSP 089 8589 006R**, the plans for which are on file in the office of the Transportation Cabinet in Frankfort, Kentucky. The acquisition of right of way on this project was authorized by Transportation Cabinet Official Order No. **97789**.

(Access on this project shall be by permit, as required to be set forth in Section 6 of the Kentucky Administrative Regulations (603 KAR 5:120).)

TO HAVE AND TO HOLD said property and property rights unto the Grantee, its successors and assigns, with all the rights and privileges thereunto belonging with covenants of General Warranty.

IN TESTIMONY WHEREOF the Grantors have executed this Deed of Conveyance on the 19th day of October, 1999.

NOW, THEREFORE, in witness whereof, said Peabody Coal Company has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its PRESIDENT, and attested by its _____ Secretary, the day and year first above written.

_____, 19____ and has been duly recorded in Deed Book
_____, Page _____
Witness my hand this _____ day of _____, 19____.

Clerk
By _____ D.C.

PREPARED BY

Allen L. Condra
ALLEN L. CONDRA, ATTORNEY
COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET,
DEPARTMENT OF HIGHWAYS
1840 NORTH MAIN STREET
P.O. BOX 600
MADISONVILLE, KY 42431

3

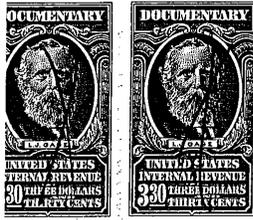
11-2-16

THIS DEED OF CONVEYANCE made and entered into this the 19th day of September, 1955, by and between Flora Wiggins, Committee for James Howard Wiggins (who is one and the same person as James H. Wiggins), a single man, and a person of unsound mind, of South Carrollton, Muhlenberg County, Kentucky, party of the First Part, and Homestead Coal Company, a Kentucky corporation, party of the Second Part,

W I T N E S S E T H:

WHEREAS, the said James H. Wiggins, was by a jury of the Muhlenberg Circuit Court on September 4, 1942, adjudged a person of unsound mind, as shown by record in Lunacy Book, page 217, of the Muhlenberg Circuit Court, and Flora Wiggins, was by an order duly made and entered in the Muhlenberg County Court, on the 11th day of September, 1942, duly appointed and qualified as Committee for the said James H. Wiggins, as shown by Order in Order Book 25, page 247, in the Muhlenberg County Court Clerk's Office, and the said Flora Wiggins, is now the duly appointed, qualified and acting Committee for said James H. Wiggins,

4 NOW, therefore, the party of the First Part, Flora Wiggins, Committee for James Howard Wiggins (who is one and the same person as James H. Wiggins) a single person, and a person of unsound mind, for and in consideration of the sum of FOURTEEN THOUSANDEIGHT HUNDRED AND SEVENTY EIGHT DOLLARS (\$14,878.00), cash in hand paid, the receipt of which is hereby acknowledged, has this day bargained and sold, and she does hereby grant and convey unto the party of the Second Part, its successors in title and assigns, the following described property located in Muhlenberg County, Kentucky, and bounded as follows:



TRACT 1: That certain tract or parcel of land near to Central City, beginning at a maple, elm and hackberry on the bank of Nelson Creek near the end of a bridge; thence N. 78-15 W. 1135 feet to a mulberry; thence S. 24 W. 174 feet to a stone; thence S. 49 W. 165 feet to a stone; thence S. 47-45 W. 567 feet to a stone on the north side of the road; thence S. 63-30 E. 277 feet to a stone in the Fork of the road; thence S. 7 W. 696 feet to a point in the road in line of Central Land Company and corner to C. H. Ralph; thence with his lands S. 67 E. 736 feet to a hickory; thence S. 6 E. 543 feet to a stake in the line of J. W. Ross; thence with Ross land N. 88-35 E. 2083 feet to a large sweet gum; thence leaving Ross N. 0-40 W. 1109 feet to a stone corner to George Doss, Jr., thence N. 89 W. 491 feet to a stone; thence N. 2 W. 868 feet to a stone; thence N. 88-15 W. 710 feet to the beginning, containing 112.1 acres.

The coal rights under the above described property are reserved only to the same extent that same has heretofore been conveyed by previous deed of record, which is hereby referred to and made a part hereof, the same as though fully copied herein.

TRACT 2: That certain tract or parcel of land lying near to Green River at "The Bluff", beginning at a gum tree where the land corners with S. J. Gish and J. W. Ross; and running thence with Gish line about 600 feet to a planted rock in Doss and Gish line at the present corner of Doss field at the mouth of the lane; thence in line with the Doss fence N. 86 E. 726 feet to a planted rock in the woods; thence at right angles 600 feet, more or less, to a planted rock; thence 726 feet to the beginning corner containing 10 acres.

There is excepted under the above described tract the coal and mineral rights to the extent and only to the extent that same have been heretofore conveyed by former deed of record, which is hereby referred to and made a part hereof.

Being the same property conveyed to James Howard Wiggins, by Leander Wiggins and his wife, Flora J. Wiggins, by deed dated June 22, 1936, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 140, page 185.

TO HAVE AND TO HOLD, the property hereby conveyed, together with all the appurtenances thereunto belonging, or in any wise appertaining, unto the party of the Second Part, its successors in title and assigns, forever, with Covenant of General Warranty of Title.

The party of the First Part, Flora Wiggins, Committee for James Howard Wiggins, a single man, and a person of unsound mind, warrants the title to the property hereby conveyed to be free and clear of all liens and encumbrances, in so far as she is permitted to make such warranty in her official capacity by law, but assumes no personal liability whatsoever.

IN TESTIMONY WHEREOF, the party of the First Part, Flora Wiggins, Committee for James Howard Wiggins, (who is one and the same person as James H. Wiggins) a single man, and a person of unsound mind, has hereunto subscribed her name, on this the day and year first hereinabove written.

Flora Wiggins

FLORA WIGGINS, COMMITTEE FOR JAMES HOWARD WIGGINS, (WHO IS ONE AND THE SAME PERSON AS JAMES H. WIGGINS), A SINGLE MAN, AND A PERSON OF UNSOUND MIND.

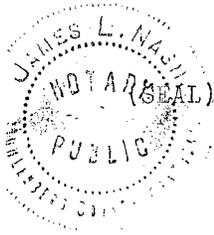
State of Kentucky, Sct.
County of Muhlenberg,

I, *James L. Nash*, a Notary Public, within and for the County and State aforesaid, hereby certify that the foregoing Deed of Conveyance from Flora Wiggins, Committee for James Howard Wiggins, (who is one and the same person as James H. Wiggins), a single man, and a person of unsound mind, to the Homestead Coal Company, a Kentucky corporation, was this day produced to me in my County by Flora Wiggins, Committee for the said James Howard Wiggins, and acknowledged before me in due form of law by the said Flora Wiggins, Committee for James Howard Wiggins, to be her act and deed, as Committee for the said James Howard Wiggins, a single man, and a person of unsound mind.

Given under my hand and seal of office this the 20th day of September, 1955.

My commission expires:

July 25 1959



James L. Nash
Notary Public, Muhlenberg County, Ky.

The foregoing Deed of Conveyance has been presented in Court, examined by me, authorized and approved, this the 23rd day of September, 1955.

A. J. Bratcher

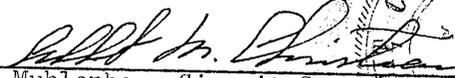
A. J. Bratcher, Judge
Muhlenberg Circuit Court

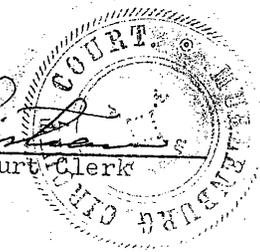
State of Kentucky, Sct.
County of Muhlenberg,

I, Albert M. Christian, Clerk of the Muhlenberg Circuit Court, do certify that the foregoing Deed of Conveyance from Flora Wiggins, Committee for James Howard Wiggins (who is one and the same person as James H. Wiggins), a single man, and a person of unsound mind, to the Homestead Coal Company, a Kentucky corporation, was authorized and approved by a Judgment of the Muhlenberg Circuit Court, in Civil Action, File No. 415, styled Flora Wiggins, Committee for James H. Wiggins, (who is one and the same person as James Howard Wiggins), a single person and a person of unsound mind, plaintiff, v. James H. Wiggins (who is one and the same person as James Howard Wiggins) a single man and a person of unsound mind, defendant, newly made and entered in the Muhlenberg Circuit Court on the 23rd day of September, 1955, in Civil Order Book 55, at page 316.

that said Deed was, on said day presented in the Muhlenberg Circuit Court, examined, authorized and approved by the Judge thereof, as shown by the foregoing certificate of said Judge, and ordered to be transmitted, duly certified, to the Clerk of the Muhlenberg County Court for record, which is now done accordingly.

Given under my hand and seal of office this the 23rd day of September, 1955.

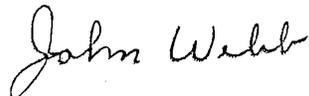

Muhlenberg Circuit Court Clerk



State of Kentucky, Sec.
Muhlenberg County,

I, John Webb, Clerk of the Muhlenberg County Court, certify that the foregoing Deed was legally lodged in my office for record 9-26-55 and the same, the foregoing, and this certificate, have been duly recorded therein.

Given under my hand, this the 27 day of Sept. 1955.

 CLERK

Flora Wiggins, Committee for
James Howard Wiggins

FILED

1955 SEP 26 PM 11:51

JOHN WEBB, CLERK
MOUNTAIN STATE COUNTY

TO: DEED

The Homestead Coal Company

*Bill To
James Wiggins*

*Paymaster
\$14.52*

RECORDED IN DEED BOOK 194
PAGE 3

SAM T. JARVIS
ATTORNEY-AT-LAW
First State Bank Bldg.
GREENVILLE, KENTUCKY

at of 016-055 & 016-120
PDC's new file 1304-001

BOOK 363 PAGE 420

KY-S-QCD

(304) Nelson Area

QUITCLAIM DEED

THIS QUITCLAIM DEED, made and entered into by and between PEABODY COAL COMPANY ("PCC"), a Delaware corporation, having its principal offices at 301 North Memorial Drive, St. Louis, Missouri 63102, party of the first part, Grantor, and PEABODY DEVELOPMENT COMPANY ("PDC"), a Delaware corporation, at P. O. Box 14222, St. Louis, Missouri 63178, party of the second part, Grantee:

WITNESSETH: That party of the first part does hereby CONVEY and QUITCLAIM unto party of the second part, its successors and assigns, all its interest in the real estate described in Exhibit "A" attached hereto and made a part hereof by reference, situated in the County of Muhlenberg, Kentucky.

RESERVING, however, TO ITSELF, and to its successors and assigns, all of the estates in surface lands thereof, including all rights and enjoyment therein, but not in derogation or diminution of the rights of PDC, and to its successors, assigns and lessees, to use the surface lands to the extent reasonable and necessary to explore for, mine (including by surface mining methods), remove, sell, process, load, tipple, haul and cross-haul all oil, gas, coal and other minerals of every kind whatever situated therein and thereunder, and situated in and under adjacent and other tracts mined in connection therewith, all without liability for subsidence damage to the estates in surface lands hereby reserved, but with the obligation of PDC to pay PCC for all damages (other than by subsidence) resulting therefrom to crops and improvements then situated thereon.

RECITALS

PEABODY HOLDING COMPANY, INC. ("PHCI"), a New York corporation, at P. O. Box 373, St. Louis, Missouri 63166 is a holding company not generally engaged directly in the operations of its subsidiaries. PLC and PDC are both wholly-owned subsidiaries of PHCI. Pursuant to a certain Plan of Reorganization of Functions and Operations of PHCI and its subsidiaries, adopted by the Board of Directors of PHCI on November 16, 1982, PCC is to cause certain of its real estate interests to be conveyed to PDC.

IN WITNESS WHEREOF, said Grantor has caused its corporate seal to be affixed, and has caused its name to be signed to these presents by its President, and attested by its Assistant Secretary, this 19th day of July, 1984.

ATTEST:

PEABODY COAL COMPANY

J. M. Touhill
J. M. Touhill
Assistant Secretary

By Wayne T. Ewing
Wayne T. Ewing
President

STATE OF MISSOURI)
) SS:
CITY OF ST. LOUIS)

The foregoing instrument was acknowledged before me this 19th day of July, 1984, by Wayne T. Ewing, President, and J. M. Touhill, Assistant

ck
MMA

Secretary of Peabody Coal Company, a Delaware corporation, on behalf of the corporation.

David H. McMullen

Notary Public

DAVID H. McMULLEN
NOTARY PUBLIC, STATE OF MISSOURI
MY COMMISSION EXPIRES 7/15/88
ST. LOUIS COUNTY

This instrument was prepared by
J. M. Touhill, Attorney at Law,
P. O. Box 373,
St. Louis, Missouri 63166

J. M. Touhill
J. M. Touhill

16-120

Martwick Tract "A" Minerals

Beginning at an iron axle the Southeast corner of the "Heck" tract, thence S 81° 47' W with the south line of "Heck" for 3637.4 feet to a stump; thence N 70° 32' W for 923.8 feet to a gum; thence N 24° 57' W for 678.3 feet to a rock; thence N 72° 26' W for 3,438.3 feet; thence S 17° 04' W for 2714.6 feet; thence S 71° 08' E for 1011.3 feet; thence S 39° 56' W for 1151.6 feet to an iron axle; thence S 23° 19' E for 63.2 feet; thence S 35° 50' E for 1677.5 feet; thence S 35° 47' E for 2,159.7 feet; thence N 53° 13' E for 1725.5 feet to a 3" iron axle; thence S 14° 01' E for 2547.8 feet to a 3" iron axle; thence N 71° 56' E for 2,163.7 feet, to a 2" iron axle; thence N 12° 15' W for 2663.7 feet to a road; thence N 69° 53' E for 342.9 feet, S 67° 35' E for 401.3 feet, S 49° 37' E for 228.4 feet, thence N 15° 46' W for 1000.6 feet, thence S 83° 45' E for 1514.0 feet; thence N 13° 42' E for 2,573.3 feet to the southeast corner of the church lot, thence N 80° 00' W for 289.0 feet to a point which is 30 feet east of the center line of U.S. Highway 62, thence parallel with Highway 62 and 30 feet east of its center line N 36° 10' E for 70.0 feet, N 28° 50' E for 75.0 feet, N 21° 25' E for 95.0 feet, thence leaving the highway S 80° 00' E for 230.0 feet to a point in the old line, thence with the old line N 13° 42' E for 370.0 feet to the place of beginning. Containing 916.71 acres more or less.

The above tract is made up of the following parcels of tract 15 of a deed from Greenville Coal Company to W. A. Wickliffe Coal Company dated November 14, 1947 and recorded in Deed Book 164, page 199, Muhlenberg County Court Clerk's office - parcels 1, 2, 3, 4, 5, 6, 7, 36, and 39.

Beginning at a rock corner (formerly a sweet gum) being the southwest corner of parcel 8 tract 15 of a certain deed from Greenville Coal Company to W. A. Wickliffe Coal Company dated November 14, 1947 and recorded in Deed Book 164 page 199 of the Muhlenberg County Court Clerk's office; thence N 6° 30' E for 126.4 feet; thence S 83° 00' E for 5404 feet; thence S 24° 05' W for 883 feet to a point in the north line of the Heck Tract, thence with Heck's line N 52° 50' W for 1423 feet to a rock Muir's corner thence N 83° 10' W for 2124 feet passing the center line of the Illinois Central Railroad at 1098 feet, thence N 83° 15' W for 1788 feet to the place of beginning. Containing 27.53 acres more or less.

Being part of parcels 8 and 9 of tract 15 of Greenville Coal Company to W. A. Wickliffe Coal Company dated November 14, 1947 and recorded in Deed Book 164 page 199.

Note: Since the minimum under the Illinois Central Railroad right of way may be outstanding an additional 0.24 acres has been allowed for this.

116-055

Oil Well Supply Tract

Beginning at the beginning corner, and running with the old line N54E 74 poles to two gums; thence N39 W11 poles to three hickories; thence N63E 60 poles to a white oak; thence N27E 20 poles to a white oak; thence N60W 91 poles to a gum and two elms, Huntsingen's corner; thence N75W 191 poles to a poplar; thence S10½W 52 poles to a rock; thence S29½W 16 poles to a stake; thence S78½E 52½ poles to a stake; thence S10½W 27 ¾ poles to a rock; thence S53½E 200 poles to the beginning, containing 196 acres and 45 poles.

The above tract being tract No. 2 of deed from J. Hart and May Lorraine Hart to W. A. Wickliffe Coal Company, dated 25 March, 1952, and recorded in Deed Book 185, page 406, Muhlenberg County Court Clerk's Office.

LAST TRANSFER: Peabody Coal Company, an Illinois corporation, to Peabody Coal company, a Delaware corporation, by conveyance dated as of March 29, 1968, recorded in Muhlenberg County, Kentucky, in Deed Book 264, page 1.

Subject to Deep Coal Mining Lease dated October 20, 1967, to Ayrshire Collieries Corporation (now Amax Coal Company), currently assigned to W. K. Minerals, Inc. (016-653).

STATE OF KENTUCKY, SCT:
MUHLENBERG COUNTY

I, MALCOLM L. WEST, CLERK OF MUHLENBERG COUNTY, CERTIFY THAT THE FOREGOING Quitclaim Deed
WAS LEGALLY LODGED IN MY OFFICE FOR RECORD 8-31-84 12:35pm AND THE SAME, THE FORE-
GOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THEREIN.

GIVEN UNDER MY HAND THIS THE 31st DAY OF Aug, 1984.

Malcolm L. West
CLERK

1916-010

THIS DEED OF CONVEYANCE, made and entered into on this the 27th day of August, 2002, by and between W. Jane Ely and her husband, Lawrence E. Ely of 455 Country Wood Drive, Noblesville, Indiana 46060; Steven W. Reed, a single man, of 1625 South Tenth Street, Noblesville, Indiana 46060, parties of the First Part, and Peabody Development Company, a Delaware corporation, authorized to do business in the Commonwealth of Kentucky, with its principal offices at 301 North Memorial Drive, Suite 310, St. Louis, Missouri 63102-2401, party of the Second Part.

WITNESSETH:

That for and in consideration of the sum of SEVENTY FOUR THOUSAND FIVE HUNDRED AND NINETY (\$74,590.00) DOLLARS, cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, parties of the First Part have bargained and sold and do by these presents hereby bargain, sell, alien and convey unto the party of the Second Part, its successors and assigns, forever, the following described property located in Muhlenberg County, Kentucky, and more particularly described as follows:

Tract I

Beginning at the Northwest corner of the one-acre tract now owned by C. E. Wood; thence S 26 degrees 15 minutes W 417.5 feet to an iron pin; thence N 63 degrees 45 minutes W 585.1 feet to an iron pin in the old line; thence with the old line N 26 degrees 45 minutes E 418.0 feet to an iron pin, passing the old corner at 371.0 feet; thence S 63 degrees 45 minutes E 580.5 feet to the beginning, containing 5.58 acres.

It is agreed and understood by the parties hereto that there is reserved and not conveyed herein a Right-of-way or Easement belonging to Clyde Perkins and wife, Della Perkins, over this tract

MAIL TO: M. KIRBY GORDON II
GORDON & GORDON, P.S.C.
P.O. BOX 398
OWENSBORO, KY 42302-0398

of land for a water pipe line and essentials necessary thereto with the privileges of ingress and egress, for the purposes of maintaining, repairing, inspecting, and relocating same without damage or liability unto the said parties of the second part, their heirs and assigns forever, said right-of-way or Easement was reserved in deed dated April 19, 1957, of record in the Muhlenberg County Clerk's office in Deed Book 201 page 407.

Tract II

Beginning at an iron pin in the North right-of-way line of the Highway leading from Central City, to, Kincheloe Bluff; thence leaving said Highway N 63 degrees 45 minutes W 208.75 feet to an iron pin; thence S 26 degrees 15 minutes W 208.75 feet to an iron pin; thence S 63 degrees 45 minutes E 208.75 feet to an iron pin on the line of above Highway; thence with said Highway line N 26 degrees 15 minutes E 208.75 feet to the beginning, containing one acre.

There is excepted from the above-described two tracts of land, and not conveyed herein, the following described tract which was conveyed from James A. Reed to the Commonwealth of Kentucky by deed dated April 2, 1998, of record in the Clerk's office aforesaid in Deed Book 458, page 516.

Beginning at a point 3.758 meters (12.33 feet) right of new road station 3+008.462; thence South 39 degrees 11 minutes 24 seconds West, 16.059 meters (52.69 feet) to a point 11.753 meters (38.56 feet) left of new road station 3+012.618; thence North 50 degrees 48 minutes 36 seconds West, 1.525 meters (5.00 feet) to a point 11.359 meters (37.27 feet) left of new road station 3+014.091; thence South 39 degrees 11 minutes 24 seconds West, 21.369 meters (70.11 feet) to a point 32.00 meters (104.99 feet) left of new road station 3+019.622; thence North 49 degrees 19 minutes 12 seconds West, 3.523 meters (11.56 feet) to a point 31.000 meters (101.71 feet) left of new road station 3+023.000; thence North 0 degrees 33 minutes 38 seconds East 17.464 meters (57.30 feet) to a point 15.000 meters (49.21 feet) left of new road station 3+030.000; thence North 63 degrees 58 minutes 27 seconds West (256.04 feet) to a point (41.01 feet) left of new road station 3+108.000; thence North 70 degrees 39 minutes 30 seconds West

(368.77 feet) to a point (72.18 feet) left of new road station 3+220.000; thence North 64 degrees 39 minutes 36 seconds West, left of new road station 3+220.000; thence North 64 degrees 39 minutes 36 seconds West, (150.23 feet) to a point (69.16 feet) left of new road station 3+265.782; thence North 39 degrees 36 minutes 10 seconds East (71.74 feet) to a point (0.00 feet) right of new road station 3+259.970; thence North 39 degrees 36 minutes 10 seconds East, (61.26 feet) to a point (59.06 feet) right of new road station 3+255.008; thence South 65 degrees 48 minutes 36 seconds East, (311.71 feet) to a point (59.06 feet) right of new road station 3+160.000; thence South 61 degrees 24 minutes 41 seconds East (171.11 feet) to a point (45.93 feet) right of new road station 3+108.000; thence South 69 degrees 42 minutes 38 seconds East, (163.98 feet) to a point (57.09 feet) right of new road station 3+058.135; thence South 50 degrees 27 minutes 13 seconds East, (169.00 feet) to the point of beginning containing .825 hectares (8,246 sq. meters, 2.038 acres, 88,754 sq. ft.)

The above-described two tracts of land are a part of the same property conveyed to James A. Reed as follows: deed from Lou A. Mercer, a widow, by deed dated September 23, 1982, of record in the Muhlenberg County Clerk's office in Deed Book 374 page 606; deed from Roy Reed and wife, Marie Reed, by deed dated October 13, 1982, of record in the Clerk's office aforesaid in Deed Book 374 page 609 deed from Ida Wood, a widow (being the same person as Ida Welch), by deed dated August 18, 1986, of record in the Clerk's office aforesaid in Deed Book 376 Page 88; deed from Maggie Dennis and husband, George Dennis, by deed dated August 12, 1986, of record in the Clerk's Office aforesaid in Deed Book 376 page 90; deed from Grace Johnson, a widow, by deed dated August 12, 1986, of record in the Clerks' office aforesaid in Deed Book 376 Page 92.

Tract III

Beginning at a stake in the west line of the Highway leading from Central City to Kincheloe Bluff, said stake being n 26° 15' E 106.5 feet from the corner of property now owned by C. E. Wood, and 30 feet from center of the road; thence with said road N 26° 15' E 100.0 feet to a stake; thence n 63° 45' W 208.75 feet to a stake;

thence S 26° 15; W 100.0 feet to a stake; thence S 63° 45' E 208.75 feet to the beginning.

Being the same property conveyed to James A. Reed from Danny Glenn Armour and wife, Lisa Ann Armour, by deed dated June 6, 1995, of record in the Muhlenberg County Clerk's Office in Deed Book 437 Page 205.

James A. Reed is now deceased having died, intestate, on May 17, 2002, a single person, and a resident of Muhlenberg County, Kentucky, leaving W. Jane Ely and Steven W. Reed as his only heirs-at-law and next-of-kin who inherited such real property as said James A. Reed, deceased, owned at the time of his death. See Affidavit of Descent of James A. Reed dated June 3, 2002, of record in the aforesaid clerk's office in Deed Book 491, page 480.

All coal, oil, gas, and all other minerals and mining rights in and under the herein conveyed property are hereby reserved only to the extent that they have been reserved, excepted or conveyed in former instruments of record.

TO HAVE AND TO HOLD the above-described property, together with all the appurtenances thereunto belonging unto the party of the Second Part, its successors and assigns, forever, together with Covenant of General Warranty of Title.

The parties hereto certify that the consideration reflected in this deed is the full consideration paid for the property. Second party executes this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names on this the day and year first hereinabove written.

FIRST PARTIES:

W. Jane Ely
W. JANE ELY

Lawrence E. Ely
LAWRENCE E. ELY,
HER HUSBAND

Steven W. Reed
STEVEN W. REED, A
SINGLE MAN

SECOND PARTY:

PEABODY DEVELOPMENT COMPANY

By: James C. Reed Vice President
(name) (title)

STATE OF INDIANA
COUNTY OF HAMILTON

I hereby certify that the foregoing Deed and Consideration Certificate was acknowledged and sworn to before me this 27th day of August, 2002, by W. Jane Ely and her husband, Lawrence E. Ely, parties of the First Part.

My commission expires: 8-12-06

Jennifer Fox
Notary Public (seal)

STATE OF INDIANA
COUNTY OF HAMILTON

I hereby certify that the foregoing Deed and Consideration Certificate was subscribed and sworn to before me this 26 day of August, 2002, by Steven W. Reed, a single man, party of the First Part.

My commission expires: 5-17-08

Keely Cowan
Notary Public (seal)

STATE OF MISSOURI

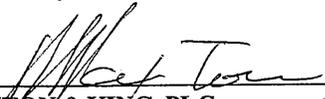
CITY OF ST. LOUIS

I hereby certify that the foregoing Consideration Certificate was subscribed and sworn to before me this 16th day of September, 2002, by James C Sevem, as Vice-President, of Peabody Development Company, party of the Second Part.

My commission expires: 1-21-2006


Notary Public (seal)

Prepared by:


PAXTON & KING, PLC
213 East Broad Street
Central City, KY 42330-0655
Ph (270) 754-2881

1926-138

THIS DEED OF CONVEYANCE, made and entered into this the 17th day of March, 2003, by and between DANNY GLENN ARMOUR and wife, LISA ARMOUR, 1215 River Road, Central City, Muhlenberg County, Kentucky, 42330, parties of the First Part, and PEABODY DEVELOPMENT COMPANY, a Delaware corporation, of 701 Market Street, St. Louis, Missouri 63101, party of the Second Part.

WITNESSETH:

That for and in consideration of the sum of SEVENTY FIVE THOUSAND and 00/100 (\$75,000.00) DOLLARS, cash in hand paid by Second Party to First Parties, the receipt and sufficiency of which is hereby acknowledged, the said parties of the First Part have bargained and sold and do by these presents bargain, sell, alien and convey unto the said party of the Second Part, its successors and assigns, the following described property located in Muhlenberg County, Kentucky, and described as follows:

Beginning at a post on West side of Highway leading from Central City to Kincheloe Bluff, 40 feet from center of Highway and corner to lot of Elizabeth Pointer; thence with the Pointer line N. 63 degrees 45 minutes W. 208.75 feet to corner post of Elizabeth Pointer; thence S. 26 degrees, 15 minutes 100.0 feet to an iron pin; thence S. 63 degrees 45 minutes E. 208.75 feet to a post 40 from center of above road; thence with the road N. 26 degrees 15 minutes E 100.0 feet to the point of beginning.

Being the same property conveyed to Danny Glenn Armour and wife, Lisa Armour, or the survivor, by Barbara A. Baugh and husband, Larry D. Baugh, by deed of correction dated August 22, 1995, of record in Deed Book 438, page 778, Muhlenberg County Clerk's office.

This conveyance covers and includes any and all real estate, surface, coal, oil, gas and all other minerals, easements or estates of Grantors which underlie, adjoin or are contiguous to the above described property, regardless of any error, omissions or irregularity in the foregoing property description or title reference; and this conveyance also covers and includes any and all real estate, surface, coal, oil, gas and all other minerals, easements or estates of Grantors which may underlie, adjoin or be contiguous to any lands which may have heretofore been excepted from any larger tract of which the property

was once a part, regardless of whoever made such exception and regardless of whenever such exception was made.

TO HAVE AND TO HOLD the above described property together with any and all appurtenances thereunto belonging or appertaining thereto, unto the said party of the Second Part, its successors and assigns, forever, with Covenant of General Warranty of Title.

CONSIDERATION CERTIFICATE

The parties hereto certify that the consideration set out above in this deed is the full consideration paid for the property. The party of the Second Part joins in this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135.

IN TESTIMONY WHEREOF, the said parties have caused this instrument to be executed on the date first hereinabove written.



Danny Glenn Armour



Lisa Armour

PEABODY DEVELOPMENT COMPANY

By: 

Mancil Robinson, agent

COMMONWEALTH OF KENTUCKY

SS:

MUHLENBERG COUNTY
D495 PG 217

COUNTY OF MUHLENBERG,

The foregoing DEED OF CONVEYANCE and CONSIDERATION CERTIFICATE was acknowledged and sworn to before me on the 17th day of March, 2003, by Danny Glenn Armour and wife, Lisa Armour, parties of the First Part.



Notary Public

My commission expires: October 6, 2005

COMMONWEALTH OF KENTUCKY

SS:

COUNTY OF MUHLENBERG,

The foregoing CONSIDERATION CERTIFICATE was subscribed and sworn to before me on the 17th day of March, 2003, by Mancil Robinson, as agent for and on behalf of Peabody Development Company, a Delaware corporation, party of the Second Part.



Notary Public

My commission expires: October 6, 2005

Prepared By:

Payton, Kinney, Tardio & Davis
P.O. Box 569
Greenville, Kentucky 42345



BY: Cary Davis, attorney

DOCUMENT NO: 118388
RECORDED ON: MARCH 18, 2003 12:19:12PM
TOTAL FEES: \$12.00
TRANSFER TAX: \$75.00
COUNTY CLERK: GAYLAN SPURLIN
COUNTY: MUHLENBERG COUNTY
DEPUTY CLERK: REGINA JONES

1926-139

MUHENBERG COUNTY
D495 PG 211

THIS DEED OF CONVEYANCE, made and entered into this the 17th day of March, 2003, by and between BOBBY W. ARMOUR and wife, DEBORAH J. ARMOUR, of 1217 River Road, Central City, Muhlenberg County, Kentucky, 42330, parties of the First Part, and PEABODY DEVELOPMENT COMPANY, a Delaware corporation, of 701 Market Street, St. Louis, Missouri 63101, party of the Second Part.

WITNESSETH:

That for and in consideration of the sum of SIXTY FIVE THOUSAND and 00/100 (\$65,000.00) DOLLARS, cash in hand paid by Second Party to First Parties, the receipt and sufficiency of which is hereby acknowledged, the said parties of the First Part have bargained and sold and do by these presents bargain, sell, alien and convey unto the said party of the Second Part, its successors and assigns, the following described property located in Muhlenberg County, Kentucky, and described as follows:

TRACT 1

Beginning at a post on the West side of the Central City and Kincheloe Bluff Road, said post is 40 feet Westerly from center of said road and 361.0 feet in a Southerly direction from center of road leading in to Green River Chapel; thence from said post N 63 degrees 45' W 208.75 feet to a post; thence S 26 degrees 15' W 100 feet to a post; thence S 63 degrees 45' E 208.75 feet to a post 40 feet from center of road; thence parallel with the road N 26 degrees 15' E 100 feet to the beginning, containing .47 acres (47/100).

Being the same property conveyed to Bobby W. Armour and wife, Deborah J. Armour, or the survivor, by Bernon (correctly spelled Vernon) Armour and his wife, Dorothy Armour, by deed dated September 10, 1974, of record in Deed Book 304, page 277, Muhlenberg County Clerk's office.

Beginning at a post on the North side of the Highway leading to Kincheloe Bluff and 40 feet from the center of same and being a corner to lot formerly sold to Fannie Mae Griffith, thence with said lot line N. 65 degrees 45' W. 208.75 feet to a stake; thence N. 26 degrees 15' E. 75.0 feet to an iron pin; thence S. 63 degrees 45' E. 208.75 feet to an iron pin in the North right-of-way line of said road; thence S. 26 degrees 15' W. 75.0 feet to the beginning.

Being the same property conveyed to Bobby W. Armour and wife, Deborah J. Armour, or the survivor, by P. W. Doss and wife, Opal Doss, by deed dated October 26, 1987, of record in Deed Book 385, page 159, Muhlenberg County Clerk's office.

With respect to both of the above described tracts, this conveyance covers and includes any and all real estate, surface, coal, oil, gas and all other minerals, easements or estates of Grantors which underlie, adjoin or are contiguous to the above described property, regardless of any error, omissions or irregularity in the foregoing property description or title reference; and this conveyance also covers and includes any and all real estate, surface, coal, oil, gas and all other minerals, easements or estates of Grantors which may underlie, adjoin or be contiguous to any lands which may have heretofore been excepted from any larger tract of which the property was once a part, regardless of whoever made such exception and regardless of whenever such exception was made.

There is included in this conveyance the 1984 FRIE 70 x 28 mobile home, VIN 6466ABF, which is located on the above described property.

TO HAVE AND TO HOLD the above described property together with any and all appurtenances thereunto belonging or appertaining thereto, unto the said party of the Second Part, its successors and assigns, forever, with Covenant of General Warranty of Title.

CONSIDERATION CERTIFICATE

The parties hereto certify that the consideration set out above in this deed is the full consideration paid for the property. The party of the Second Part joins in this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135.

IN TESTIMONY WHEREOF, the said parties have caused this instrument to be executed on the date first hereinabove written.

Bobby W. Armour
Bobby W. Armour

Deborah J. Armour
Deborah J. Armour

PEABODY DEVELOPMENT COMPANY

By: Mancil Robinson
Mancil Robinson, agent

COMMONWEALTH OF KENTUCKY

SS:

COUNTY OF MUHLENBERG,

The foregoing DEED OF CONVEYANCE and CONSIDERATION CERTIFICATE was acknowledged and sworn to before me on the 17th day of March, 2003, by Bobby W. Armour and wife, Deborah J. Armour, parties of the First Part.

Angie E. Darr
Notary Public

My commission expires: October 6, 2005

COMMONWEALTH OF KENTUCKY

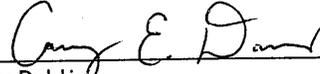
MUHLENBERG COUNTY

SS:

D495 PG 214

COUNTY OF MUHLENBERG,

The foregoing CONSIDERATION CERTIFICATE was subscribed and sworn to before me on the 17th day of March, 2003, by Mancil Robinson, as agent for and on behalf of Peabody Development Company, a Delaware corporation, party of the Second Part.



Notary Public

My commission expires: October 6, 2005

Prepared By:

Payton, Kinney, Tardio & Davis
P.O. Box 569
Greenville, Kentucky 42345



BY: Cary Davis, attorney

DOCUMENT NO: 118379
RECORDED ON: MARCH 18, 2003 12:17:28PM
TOTAL FEES: \$14.00
TRANSFER TAX: \$65.00
COUNTY CLERK: GAYLAN SPURLIN
COUNTY: MUHLENBERG COUNTY
DEPUTY CLERK: REGINA JONES
BOOK D495 PAGES 211 - 214

1926-135

MUHLENBERG COUNTY
D487 Pg 31

THIS DEED OF CONVEYANCE, made and entered into this the 7th day of December, 2001, by and between WILLIAM L. POINTER and wife, WANDA L. POINTER, 4401 Church Road, Conover, Vilas County, Wisconsin, 54519, parties of the First Part, and PEABODY DEVELOPMENT COMPANY, a Delaware corporation, of 301 North Memorial Drive, Suite 310, St. Louis, St. Louis County, Missouri 63102-2401, party of the Second Part.

WITNESSETH:

That for and in consideration of the sum of FIVE THOUSAND and 00/100 (\$5,000.00) DOLLARS, cash in hand paid by Second Party to First Parties, the receipt and sufficiency of which is hereby acknowledged, the said parties of the First Part have bargained and sold and do by these presents bargain, sell, alien and convey unto the said party of the Second Part, its successors and assigns, the following described property located in Muhlenberg County, Kentucky, and described as follows:

TRACT #1: Beginning at a stake which bears N. 79 degrees W. 373.0 feet from a stone, the Southwest corner of the George Doss property; thence with said stake N. 85 degrees W. 208.75 feet to a stake; thence S. 5 degrees W. 208.75 feet to a stake; thence S 85 degrees E. 208.75 feet to a stake; thence N. 5 degrees E. 208.75 feet to the beginning.

There is excepted from the above described tract of land a certain tract of land conveyed to Gary Lee Pointer and Rickard Wayne Pointer, by Louis Pointer and wife, Martha Pointer, by deed dated

September 14, 1966, and now of record in the office of the Muhlenberg County Clerk in Deed Book 254, page 604.

TRACT #2: Beginning at a stake which bears North 79 degrees West 373.0 feet from a stone, the Southwest corner of the George Doss property; thence from said stake North 85 degrees West 208.75 to a stake; thence South 5 degrees West 69.58 feet to a stake; thence South 85 degrees East 208.75 feet to a stake; thence North 85 degrees East 69.58 feet to the point of beginning.

Being the same property conveyed to William L. Pointer by Wilda M. Pointer, et al., by deed dated August 30, 2000, of record in Deed Book 481, page 220, Muhlenberg County Clerk's office.

This conveyance covers and includes any and all real estate, surface, coal, oil, gas and all other minerals, easements or estates of Grantors which underlie, adjoin or are contiguous to the above described property, regardless of any error, omissions or irregularity in the foregoing property description or title reference; and this conveyance also covers and includes any and all real estate, surface, coal, oil, gas and all other minerals, easements or estates of Grantors which may underlie, adjoin or be contiguous to any lands which may have heretofore been excepted from any larger tract of which the property was once a part, regardless of whoever made such exception and regardless of whenever such exception was made.

TO HAVE AND TO HOLD the above described property together with any and all appurtenances thereunto belonging or appertaining thereto, unto the said party of the Second Part, its successors and assigns, forever, with Covenant of General Warranty of Title.

CONSIDERATION CERTIFICATE

The parties hereto certify that the consideration set out above in this deed is the full consideration paid for the property. The party of the Second Part joins in this deed for the sole purpose of certifying the consideration pursuant to KRS 382.135.

IN TESTIMONY WHEREOF, the said parties have caused this instrument to be executed on the date first hereinabove written.

MUHLENBERG COUNTY

D487

PG 33

William L. Pointer

William L. Pointer

Wanda L. Pointer

Wanda L. Pointer

PEABODY DEVELOPMENT COMPANY

By: James P. Seume
(Name & Corporate Capacity)
VICE PRESIDENT

ATTEST:

Nail B. Dook
(Name & Corporate Capacity)
ASST Secy

STATE OF WISCONSIN,

SS:

COUNTY OF VILAS,

The foregoing DEED OF CONVEYANCE and CONSIDERATION CERTIFICATE was acknowledged and sworn to before me on the 7th day of December, 2001, by William L. Pointer and wife, Wanda L. Pointer, parties of the First Part.

Barbara S. Durrell
Notary Public

My commission expires: June 8, 2003

(please affix seal here)

KENTUCKY
STATE OF MISSOURI,
HENDERSON SS:
COUNTY OF ST. LOUIS,

MUHLENBERG COUNTY
D487 PG 34

The foregoing CONSIDERATION CERTIFICATE was subscribed and sworn to before me on the 13th day of December, 2001, by James C. Severn and David R. Jcest, the Vice President and Assistant Secretary, respectively, of Peabody Development Company, a Delaware corporation, for and on behalf of said corporation.

Jana M. Noller
Notary Public

My commission expires: 8-2-2003

(please affix seal here)

Prepared By:

Payton, Kinney, Tardio & Davis
P.O. Box 569
Greenville, Kentucky 42345

Cary Davis
BY: Cary Davis, attorney

DOCUMENT NO: 109565
RECORDED ON: DECEMBER 26, 2001 03:15:22PM
TOTAL FEES: \$14.00
TRANSFER TAX: \$5.00
COUNTY CLERK: GAYLAN SPURLIN
COUNTY: MUHLENBERG COUNTY
DEPUTY CLERK: KATHY SADDLER

BOOK D487 PAGES 31 - 34

THIS DEED OF CONVEYANCE, made and entered into this the 6th day of June, 1979, by and between DAVID M. SIMPSON and wife, JEAN SIMPSON, of Central City, Muhlenberg County, Kentucky, parties of the First Part, and PEABODY COAL COMPANY, a Delaware corporation, authorized to transact and conduct business in the Commonwealth of Kentucky, with offices and chief place of business at 301 North Memorial Drive, St. Louis, Missouri, party of the Second Part,

PROPERTY TRANSFER TAX of \$200.00

W I T N E S S E T H:

That for and in consideration of the sum of THIRTY THOUSAND (\$30,000.00) DOLLARS, cash in hand paid by the said party of the Second Part unto the said parties of the First Part, the receipt of which is hereby acknowledged, the said parties of the First Part have bargained and sold and do by these presents bargain, sell, alien and convey unto the said party of the Second Part, its successors, grantees and assigns, the following tract or parcel of land situated and located near Central City, Muhlenberg County, Kentucky, and described as follows:

Beginning at an iron stake in the eastern margin of Old South Carrollton Road thence N 67-29 E 245.2 feet to an iron drive shaft, corner to Eaves; thence S 70-18 E 68.6 feet to a fence post thence S 62-58 E 468.5 feet to an angle iron in the Peabody Coal Company line; thence S 71-30 W 686.1 feet to a concrete marker in the eastern boundary of Old South Carrollton Road; thence with the eastern boundary of said road N 8-30 W 368 feet to the point of beginning containing 4.83 acres, more or less according to survey of Charles R. Starr, Registered Land Surveyor No. 1205 made in November, 1977.

Being the same property conveyed to David M. Simpson and wife, Jean Simpson, and survivor, by Joseph A. Monaghan and wife, Nadine Monaghan, by deed dated February 3, 1978, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 326, page 631.

This deed of conveyance covers and includes any and all real estate, surface, coal, oil, gas, and all other minerals, easements or estates of the said parties of the First Part which may adjoin or be contiguous to the above described property, regardless of any error, omission, or irregularity in the foregoing property description or title reference and this conveyance also covers and includes any and all real estate, surface, coal, oil, gas, and all other minerals, easements or estates of said First Parties which may underlie, adjoin or be contiguous to any lands which may have heretofore been excepted from any larger tract of which the above described property was once a part, regardless of whoever made such exception and regardless of whenever such exception was made.

TO HAVE AND TO HOLD, the above described tract or parcel of land, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said party of the Second Part, its successors, grantees and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the said parties of the First Part have hereunto caused this instrument to be executed, on this the date first hereinabove written.

THIS INSTRUMENT
PREPARED
BY William E. Payton
WILLIAM E. PAYTON
ATTORNEY AT LAW
GREENVILLE, KY. 42345

David M. Simpson
David M. Simpson
Jean Simpson
Jean Simpson

STATE OF KENTUCKY,
MUHLENBERG COUNTY,

SS:

The foregoing DEED OF CONVEYANCE was acknowledged before me on this the 6th day of June, 1979, by David M. Simpson and wife, Jean Simpson.

Ronald S. Sells
Notary Public

STATE OF KENTUCKY, SOU
MUHLENBERG COUNTY

My commission expires 6-6-80 I CERTIFY THAT THE FOREGOING Deed AND RECORDS LODGED IN MY OFFICE FOR RECORD 6-6-79 2:16 PM AND THE SAME, THE FORE-
GONING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THEREIN.
GIVEN UNDER MY HAND THIS THE 7 DAY June, 1979.

J. C. Hoffinger
Clerk

360
FILED

79 JUN 6 P2:16

JUN 6 1979
DAVID M. SIMPSON and wife,
JEAN SIMPSON
F.C.

TO: DEED OF CONVEYANCE

PEABODY COAL COMPANY

BOOK *334* PAGE *877*

RECORDED & RETURN:

JARVIS, PAYTON & KINNEY
ATTORNEYS AT LAW
P. O. BOX 569
GREENVILLE, KENTUCKY

1.2.1

016-034
(Mastrock Testis Unit)
Tract # 15

are tract descriptions
of 2nd boundary
in 016-034

GREENVILLE COAL COMPANY

TO: DEED

W. A. WICKLIFFE COAL COMPANY

FILED FOR RECORD IN THE MUILENEBERG COUNTY COURT
CLERK'S OFFICE ON THE 17TH DAY OF NOVEMBER, 1947.

DEED Book 164-799

THIS DEED OF CONVEYANCE made and entered into this 14th. day of November, 1947, by and between the Greenville Coal Company, a Kentucky Corporation, with its chief office and place of business in Greenville, Muhlenberg County, Kentucky, party of the First Part, and the W. A. Wickliffe Coal Company, a Kentucky Corporation, with its chief office and place of business in Greenville, Muhlenberg County, Kentucky, party of the Second Part,

W I T N E S S E T H:

THAT, WHEREAS, the party of the Second Part, the W. A. Wickliffe Coal Company, is the holder and owner of all the shares of stock of the party of the First Part, Greenville Coal Company, which company is now in the process of dissolution, and, in order to completely effect same, the said party of the First Part, being thereunto duly authorized by the holder of all the stock of said corporation and its board of directors at a meeting duly called and held for that purpose at the office of the company on the 23rd. day of October, 1947,

NOW, THEREFORE, the party of the First Part, for and in consideration of the premises, and for a valuable consideration, receipt of which is hereby acknowledged, hath bargained and sold and doth by these presents bargain, sell, alien, convey, transfer and assign to the party of the Second Part, its successors in title and assigns, all the following described real estate, and interest in real estate, together with all the improvements located thereon; all minerals, and interest in minerals, and all the following described personal property, all lying and being situate in Muhlenberg County, Kentucky:

POWDERLY PROPERTY, CONSISTING OF 49 TRACTS, BOUNDED AS FOLLOWS:

TRACT 49: A Tract or Parcel of land lying and being situate on the waters of Pond Creek, in Muhlenberg County, Kentucky, bounded as follows:

389

Beginning at a stone near the end of the lane and running S. 63-15 W. 489 feet to a black oak; thence S. 25 E. 1412 feet to an ash stump; thence N. 66-30 E. 1678 feet to a beech tree; thence N. 27-45 W. 442 feet to a gum; thence N. 59-45 E. 1738 feet to a white oak; thence N. 26-30 W. 1128 feet to a hickory; thence N. 25-45 W. 1299 feet to a white oak; thence S. 60-15 W. 1650 feet to a gum; thence N. 28 W. 678 feet to a sweet gum; thence S. 62-30 W. 396 feet to a hickory, beech and ash; thence ~~X~~ S. 38-30 W. 1105 feet to four small hickories; thence S. 62-30 W. 478 feet to a point in the West line of the lane; thence S. 45-30 E. 1642 feet to a stone, the point of beginning, containing 214 acres by survey made by B. E. Hess November 30th, 1916.

Being the same Tract or Parcel of land conveyed to the Greenville Coal Company by W. T. Mitchell and his wife, Ella Mitchell, by deed dated October 11th, 1941, of record in said clerk's office in Deed Book 147, page 260.

SEE ALSO, 100/291, T-2: P.O. ABOVE #9 COAL & ALL MIN. BELOW

MARTWICK PROPERTY, CONSISTING OF 19 TRACTS, BOUNDED AS FOLLOWS:

TRACT 1: The surface rights to a lot or parcel of land situated on the North side of the public road leading from Central City to Rockport, Kentucky, and about 200 yards Northwest of the old Richmond school house, bounded as follows:

Beginning at a gum tree on said road, running thence with same S. 34 degrees 15 minutes E. 210 feet to a stake on the road; thence N. 43 degrees 45 minutes E. 210 feet to a stake; thence N. 34 degrees 15 minutes W. 210 feet to a stake; thence S. 43 degrees 45 minutes W. 210 feet to the beginning, containing 1 acre, more or less.

This being the same surface rights conveyed to the Greenville Coal Company by A. J. Mercer and his wife, Bess Mercer, by their deed dated June 28th. 1918, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 98, page 468.

TRACT 2: The surface rights to a lot or parcel of ground situated in Martwick, Muhlenberg County, Kentucky, North of the powerhouse of said place and bounded as follows, to-wit:

Beginning at a rock, running thence N. 58 degrees 10 minutes E. 303.5 feet to a rock; thence N. 49 degrees 15 minutes W. 283.5 feet to a rock; thence S. 47 degrees 50 minutes W. 241 feet to a 10 inch poplar tree; thence S. 36 degrees, 50 minutes E. 229 feet to the beginning, containing $1\frac{1}{2}$ acres.

This being the same surface rights conveyed to the Greenville Coal Company by Heilman Humphrey and his wife, Zora Humphrey, by their deed dated July 21st. 1922, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 113, page 224.

TRACT 3: A lot or parcel of ground situated on the West side of the E. Hope Norton tract of land and just North of the Boarding House of the Greenville Coal Company, known as house No. 32, in Martwick, Muhlenberg County, Kentucky, bounded as follows:

Beginning at a dead black oak, the Southwest corner, running thence N. 5 degrees 15 minutes W. 100 feet to a stake; thence N. 84 degrees 45 minutes E. 305 feet to a stake; thence S. 5 degrees 15 minutes E. 100 feet to a stake; thence S. 84 degrees 45 minutes 305 feet to the beginning.

This being the same lot or parcel of ground conveyed to the Greenville Coal Company by Carl Coots and his wife, Georgia L. Coots, by their deed dated September 24th. 1918, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 101, page 579.

* TRACT 4: All of the coal of every kind, character, nature and description in and under the following described two tracts or parcels of land lying and being situate in Muhlenberg County, Kentucky, bounded and described as follows, together with the right of ingress and egress to and from said land for the purpose of doing the things necessary to mine and remove all the coal therefrom, or from any other tract or tracts of land now or hereafter owned.

188
6-499
1056'
(1st) Beginning at three Black Oaks, running thence S. 7½ E. 64 poles to a Sycamore; S. 85 E. 52 poles to a stake; thence S. 12 W. 48 poles to a stake; thence N. 69 W. 44 poles to a Black Oak; thence S. 5½ E. 38 poles to a stake; thence S. 27 W. 39 poles to a Black Oak, Sweet Gum and Elm; thence N. 46 W. 116 poles to a White Oak, Poplar and Elm; thence N. 45 E. 128 poles to the beginning, containing 63 acres, more or less.

627'
1914'
2112'
(2nd) Beginning at a stake or stone in the Greenville and Cersalvo public road, running thence with same S. 2 W. 84 poles and 10 links to a stake or stone in the road, 2 poles East of a small Black Oak; thence N. 79 W. 99½ poles to a Beech tree marked as a pointer; thence N. 17 E. 83 poles and 10 links to a stake or stone in J. W. Adcock's line; thence S. 79 E. 81 poles and 6 links to the beginning, containing 47 acres, more or less.

Being the same coal and mining privileges conveyed to the Greenville Coal Company by J. J. Hill and others by deed dated December 7th. 1922, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 115, page 119.

TRACT 5: The surface rights of 20 acres of land situated in Muhlenberg County, Kentucky, on the waters of Green River, and being a part of the 84 acre tract conveyed to Martin, Wickliffe & Martin by James W. Oates, January 21st. 1911. Recorded in the office of the clerk of the Muhlenberg County Court in Deed Book 81, page 220. Said 20 acres bounded as follows:

The beginning corner to commence on the West side of the house, occupied by the said Moppin, and on that line reading "N. 62 E. with Mattingly's line 184 poles to a rock, corner to the old line" and commencing at a corner to be established on said line, so as to include said residence. Said 20 acres to be cut off of the East end of said 84 acre tract.

Being the same surface rights conveyed to the Greenville Coal Company by Howard Moppin, a single man, by his deed dated December 16th. 1918, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 98, page 556.

TRACT 6: Two certain tracts or parcels of real property located on the waters of Pond Creek, near Martwick, in Muhlenberg County, Kentucky, described by tracts, metes and bounds as follows:

(1st) All of an undivided two-thirds interest in and to 140 acres of land in fee which is bounded as follows: Beginning at two White Oaks; thence S. 47 E. 192 poles to a poplar, dogwood and black gum; thence N. 43 E. 125 poles to a black oak; thence N. 47 W. 192 poles to two dogwoods; thence S. 43 W. 125 poles to the beginning, containing 150 acres.

But excepting 10 acres of said boundary conveyed by D. B. Ham to G. B. Coombs in Deed Book 20, page 510, said exception being described as follows: Beginning at a black oak; thence S. 43 W. 125 poles to a poplar and gum; thence N. 47 W. 24 poles to a dogwood and elm; thence N. 57 E. 130 poles to the beginning.

(2nd) All of an undivided two-thirds interest in and to 528 acres of mineral and mineral and coal privileges with rights of ingress and egress in and over said tract of land, to work and haul such minerals, coal and salts water over said land to market or to any place of deposit, with the right to sink shafts, drive drifts and to search for minerals, coal, fire clay, salts water, iron ore or any other substances of value that may be found in and under the surface of said 528 acres of land, all of which minerals, coal and other substances in and under ground are included in this conveyance and nothing reserved, except the surface and the timber thereon, with the right to make such roads as may become necessary from time to time to convey the same as aforesaid, and which 528 acres of land is bounded and described as follows, to-wit: Beginning at an ash; thence S. 18 E. 112 poles to a beech near a lick on Pond Creek; thence S. 68 E. 190 poles in Smith's line; thence N. 15 W. 82 poles to a gum and two hickories; thence N. 60 E. 20 poles to a stake; thence N. 40 W. 12 poles to a stake; thence N. 12 W. 118 poles to a stake in a field; thence S. 70 W. 30 poles to a walnut; thence N. 44 W. 82 poles to a rock in a lane; thence N. 50 E. 104 poles to a poplar and gum; thence N. 20 W. 78 poles to a hickory; thence S. 72 E. 102 poles to a beech; thence S. 47 E. 192 poles to a poplar, dogwood and black gum; thence N. 43 E. 125 poles to a black oak; thence N. 47 W. 152 poles to two dogwoods; thence S. 43 W. 125 poles to the beginning, containing 528 acres, more or less.

Being the same real property conveyed to the Greenville Coal Company by Henry D. Haynes and others by deed dated December 2nd, 1920, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 107, page 284.

TRACT 7: All of the coal of every kind, character and nature in, under and upon the following described tract or parcel of land lying and being situate in Muhlenberg County, Kentucky, together with the right of ingress and egress to and from the said tract or parcel of land for the purpose of doing the things necessary to mine and remove all of the coal therefrom, or from any other tract or tracts of land now or hereafter owned.

Beginning at a rock and dead ^{198'} White Oak in the Ceralvo and Greenville road and running with the center of said road N. 3 E. 20 poles; thence N. 11 E. 12 poles; thence N. 4 E. 144 poles; ^{2376'} thence N. 19 E. 19 poles to a rock in the Ceralvo and Greenville road opposite an Elm marked as a pointer; thence S. 72 E. 172 poles; and 20 links to a rock in John Baker's line; thence S. 40 W. 466' poles to a rock; thence S. 66 E. 31 poles to a rock, John Baker's corner; thence S. 18 W. 173 1/2 poles to a rock, Kincheloe's corner; thence N. 62 1/2 W. 106 1/2 poles to a Black Oak; thence S. 85 W. 56 poles to the beginning, containing 228 acres. ^{924'}

Being the same coal and mining privileges conveyed to the Greenville Coal Company by James W. Sharp Jr. and his wife, Ida Sharp, by deed dated December 11th. 1922, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 115, page 98.

5-43 TRACT 8: All of the coal of every kind, character and nature in, under and upon the following described tract or parcel of land lying and being situate in Muhlenberg County, Kentucky, together with the right of ingress and egress to and from said tract or parcel of land for the purpose of doing the things necessary to mine and remove all of the coal therefrom, or from any other tract or tracts of land now or hereafter owned.

1st Tr. → Beginning at a stake in the Greenville and Ceralvo road one pole East of a large White Oak and running thence with same S. 17 W. 26 poles and 9 links E. to a Sweet Gum; thence S. 2 W. 130 poles and 10 links to a stake in said road 2 3/4 poles E. of a small Black Oak; thence N. 79 W. 99 1/2 poles to a Beech marked as a pointer; thence N. 17 E. 127 poles to a Sweet Gum; thence N. 73 W. 86 poles to a Black Oak; thence N. 17 E. 41 poles to a Hickory and Maple; thence S. 71 E. 153 poles to the beginning, containing 100 acres, more or less, less 47 acres on the South side of said tract which had been sold to one David Casebier prior to the time A. K. Hill acquired title to said tract of land. // ^{676.5'}

Being the same tract of land, the coal and mining privileges underlying which were conveyed to the Greenville Coal Company by A. K. Hill and his wife, Sallie Hill, by deed dated January 15th. 1923, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 115, page 102.

TRACT 9: All of the coal of every kind, character and nature in, under and upon the following described tract or parcel of land lying and being situate in Muhlenberg County, Kentucky, together with the right of ingress and egress to and from the above described land for the purpose of doing the things necessary to mine and remove all the coal therefrom, or from any other tract, or tracts, of land now or hereafter owned by the Greenville Coal Company.

// Beginning at a stump, Beck, and Bratcher's corner at the head of the lane; thence S. 45 E. 740 feet to a black oak; thence N. $54\frac{1}{2}$ E. 1170 feet on Bratcher and Adcock's line to a stake; thence N. 45 W. 75 feet to a stake in Beck and Bratcher's division line; thence with the same S. $52\text{-}\frac{3}{4}$ W. 1170 feet to the beginning, containing 20 acres. 750?

Being the same tract of land the coal and mining privileges underlying which were conveyed to the Greenville Coal Company by W. F. Bratcher, a single man, and Viola C. Bratcher, a single woman, by their deed dated February 16th. 1923, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 115, page 100.

TRACT 10: All of the coal of every kind, character and nature in, under and upon the following described tract or parcel of land lying and being situate in Greenville, Muhlenberg County, Kentucky, together with the right of ingress and egress to and from the above-described tract of land for the purpose of doing the things necessary to mine and remove all the coal therefrom, or from any other tract, or tracts, of land now or hereafter owned by the Greenville Coal Company.

// Beginning at a stake in the place of a White Oak; thence N. $52\text{-}\frac{3}{4}$ E. 352 poles to a stone planted on the bank of Green River; thence up the river S. 26 E. 44 poles and 22 links to a sycamore, John Adcock's corner; thence S. $52\text{-}\frac{3}{4}$ W. 337 poles to a Black Oak, another of Adcock's corners; thence N. 45 W. 44 poles and 22 links to the beginning, containing 96 acres. //

// There is excepted from said tract and not conveyed, however, the following portion, which was conveyed to Viola C. Bratcher by W. F. Bratcher March 31st. 1908, by deed of record in the office of the clerk of the Muhlenberg County Court in deed Book 74, page 243, the coal in which has heretofore been conveyed to the Greenville Coal Company. Said tract so reserved is described as follows:

Beginning at a stump, Beck and Bratcher's corner at the head of the lane; thence S. 45 #. 740 feet to a Black oak; thence N. $54\frac{1}{2}$ E. 1170 feet on Bratcher and Adcock's line to a stake; thence N. 45 W. 75 feet to a stake in Beck and Bratcher's division line; thence with the same S. $52\text{-}\frac{3}{4}$ W. 1170 feet to the beginning, containing 20 acres. //

Being the same tract of land the coal and mining privileges underlying which were conveyed to the Greenville Coal Company by W. F. Bratcher, a single man, by his deed dated February 19th. 1923, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 115, page 99.

TRACT 11: All of the coal of every kind, character and nature in, under and upon the following described tract or parcel of land lying and being situate in Muhlenberg County, Kentucky, together with the right of ingress and egress to and from the above described tract of land for the purpose of doing the things necessary to mine and remove all of the coal therefrom, or from any other tract or tracts of land now or hereafter owned by the Greenville Coal Company.

Beginning at a White Oak and Black Gum Sharp's corner; thence N. $46\frac{1}{2}$ E. 127 poles to a rock in the flats in Shults' line; thence N. 60 W. 62 poles to a stake or stone in C. C. Sharp's line; thence with this line S. 15 W. 127 poles to the beginning, containing 25 acres.

Being the same coal and mining privileges conveyed to the Greenville Coal Company by F. P. Bastin and his wife, Lena Bastin, by deed dated January 15th. 1923, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 115 page 97.

TRACT 12: All the No. 9 vein of coal, and all coal and other minerals below said No. 9 vein, in and under the following described tract or parcel of land lying and being situate in Muhlenberg County, Kentucky, together with the right of ingress and egress to and from said tract of land to mine and remove therefrom all of the No. 9 coal, and all coal and minerals below said No. 9 vein in and under said tract.

Beginning at two hickories and running N. 45 E. 324 feet to two white oaks; thence N. $36\frac{1}{2}$ W. 418 feet to a hickory; thence S. 48 W. 74 feet to a stake in the road; thence N. $70\frac{1}{2}$ W. 1625 feet to a stake at a fence corner; thence S. $28\frac{1}{2}$ W. 317 feet to a black oak; thence S. $70\frac{1}{2}$ E. 1505 feet to a stake in the road; thence S. 48 W. 747 feet to a sugartree; thence S. $73\frac{1}{2}$ E. 944 feet to a walnut tree; thence N. 3 W. 482 feet to the beginning, containing 24 acres, more or less.

Being the same coal and minerals, and mining privileges conveyed to the Greenville Coal Company by Elias A. Adcock and his wife, M. J. Adcock, by deed dated March 21st. 1923, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 115, page 141.

TRACT 13: All the coals and veins and seams of coal, together with the rights and privileges of mining and taking away same, and with all the necessary rights and privileges of getting to and getting at said coals for the purpose of mining and taking away same, and with the right and privilege of transporting coals from other holdings of the Greenville Coal Company through, under and across the said lands, which are described as lying in Muhlenberg County, State of Kentucky, near the waters of Green River, adjoining the lands of the Greenville Coal Company, bounded as follows to-wit:

Beginning at a rock corner, also corner to the Stewart land near the center of the lane, and near the N.E. corner of his yard fence, running thence N. 75 degrees 58 minutes W. 1529 feet to a rock near a Black Oak in the center of the lane, which is also corner to Isaac Sharp's land; thence S. 24 degrees 6 minutes W. 3047 feet to a rock on the North side of the main road; thence S. 77 degrees 37 minutes E. 1585 feet to a rock, corner to the Stewart land; thence N. 23 degrees 12 minutes E. 2992 feet to the beginning, containing 106.1 acres. //

Being the same coal and mining privileges conveyed to the Greenville Coal Company by W. C. Sharp and his wife, Laura E. Sharp, by deed dated November 20th. 1918, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 98, page 469.

TRACT 14: The surface rights to the following described three tracts of land situated in Muhlenberg County, State of Kentucky, on the North side of the public road leading from Nelson to Martwick, and more particularly described as follows:

- (1st) Beginning in Charly Garrett's corner, running thence with his line and big road South 65 degrees East 209 feet to a stone; thence North $27\frac{1}{2}$ degrees East 300 feet to a stone; thence North 65 degrees West $290\frac{1}{2}$ feet to a stone; thence South $27\frac{1}{2}$ degrees West 300 feet to the beginning corner, containing two acres. Also a 12 foot passway from this lot to the Rockport road.
- (2nd) Beginning at two hickories, James R. Mason's corner, running with his line West 241 feet to a rock; thence a Southern course 578 feet to a rock; thence East 624 feet to a rock; thence North 524 feet to the beginning, containing $5-15/32$ acres, more or less.
- (3rd) Beginning at a hickory running South 51 degrees West $25-1/11$ poles to a rock in the road; thence South 50 degrees East $25-5/13$ poles to a hickory; thence North 40 degrees East 19 poles to two white oaks; thence North 38 degrees West $23\frac{1}{2}$ poles to a hickory, the beginning, containing 2 and $86/100$ acres.

Tracts (1) (2) and (3) last described being the same tracts the surface rights in which was conveyed to the Greenville Coal Company by A. J. Mercer and his wife, Bessie Mercer, by deed dated July 20th, 1920, now of record in the office of the clerk of the Muhlenberg County Court in Deed Book 105, page 169.

But from Tract 1 above described is excepted the following parcel: 1.96 acres of surface conveyed to Kelley Mayhew March 24th, 1939, of record in said clerk's office in Deed Book 160, page 120.

TRACT 15: Consisting of thirty-nine (39) boundaries, as follows:

(1st) A tract of land on the Illinois Central Railroad, bounded as follows:

Beginning at a Hickory and Black Oak, Joseph Heck's corner, corner also with Mrs. Milligan's survey; running thence with her line S. 10 W. 126 poles to three Hickories near a Spanish Oak, James Tinsley's corner; thence with his line S. 60 E. 100 poles to two small Black Oaks and Maple in Tinsley's line on a small branch; thence due E. 180 poles to a Spanish Oak, White Oak and two small Beeches on a steep bank of a branch; thence N. 10 E. 195 poles to two White Oaks, Joseph Heck's corner; thence with his line S. 55 W. 220 poles to a White Oak, his corner; thence with the same N. 35 W. 130 poles to the beginning, containing 200 acres.

(2nd) A tract of land adjoining the above and bounded as follows:

Beginning at two Poplars, running N. 28 E. 50 poles to a White Oak and Poplar; thence S. 80 E. 138 poles to a White Oak and Sugartree, corner to Warren Davis; thence N. 10 E. 72 poles to a White Oak and Sugartree; thence S. 59 E. 152 poles to a Gum and Chestnut; thence S. 31 W. 80 poles to two White Oaks; thence S. 40 W. 140 poles to James Tinsley's corner; thence with said line N. 43 W. 220 poles to the beginning, containing 200 acres.

But from Second Tract is excepted the following parcel: That portion conveyed to Ed Frost by the Greenville Coal Company by Indenture dated May 18th, 1919, now of record in said clerk's office in Deed Book 100, page 550, wherein a boundary line was established.

(3rd) A tract of land adjoining the above described lands and bounded as follows:

Beginning at a Beech and White Oak, running N. 10 E. 160 poles to a Hickory and Black Oak; thence N. 80 W. 50 poles to a Poplar and Sugartree; thence S. 10 W. 160 poles to a gum and Beech; thence S. 80 E. 50 poles to the beginning, containing 50 acres.

For exception from Third Tract see exception following Thirty-ninth Tract.

- (4th) A tract of land adjoining the above described tracts and bounded as follows:

Beginning at two Beeches, the third corner of the Barnard survey; running thence with the line of the old survey S. 31 W. 66 poles to two Hickories and a Sassafras, a corner of the survey; thence S. $21\frac{1}{2}$ E. no variation, 45 poles to a rock and White Oak and Black Oak marked as pointers; thence N. $68\text{-}\frac{3}{4}$ E. no variation, 53 poles to a rock in an old line of the survey, a White Oak and Black Oak marked as pointers; thence with the old line N. 24 W. 84 poles to the beginning, containing 20 acres.

- (5th) A tract of land adjoining the above mentioned tract and bounded as follows:

Beginning at a stake at an old road line and Public Road; thence N. 21 W. 59 poles to a Beech, Black Gum and Sweet Gum; thence S. $88\text{-}\frac{3}{4}$ E. 64 poles to a stake in an old road; thence S. 16 E. 14 poles and 10 links; thence still a road S. $23\frac{1}{2}$ E. 30 poles; thence S. 59 E. 5 poles and 10 links; thence N. $76\frac{1}{2}$ W. 16 poles; thence S. $76\frac{1}{2}$ W. 18 poles; thence S. 57 W. 8 poles; thence S. 82 W. 10 poles to the beginning, containing $9\frac{1}{2}$ acres.

- (6th) A tract of land adjoining the two tracts of land last above mentioned and bounded as follows:

Beginning at the 4th corner of the Barnard survey two Hickories and a Sassafras; thence with the old line S. 46 W. 80 poles to a Black Gum and a Sweet Gum; thence another line of the old survey S. 21 E. 65 poles to a rock in said line; thence N. 62 E. 132 poles to a rock with a Hickory, Sassafras and White Oak marked as pointers in the old line; thence N. 24 W. with the old line 34 poles to Mitchell Smith's corner, a rock with a White Oak and Black Oak marked as pointers; thence with Mitchell Smith's line reversed S. $68\frac{1}{2}$ W. 53 poles to a rock and White Oak and Black Oak marked as pointers; thence with another line of a survey reversed N. $21\frac{1}{2}$ W. 45 poles to the beginning, containing 50 acres.

- (7th) A tract of land adjoining the last mentioned tract above and bounded as follows:

Beginning at the beginning corner of the old survey, two Beeches; running thence with the old line N. 64 E. 145 poles to a Poplar and White Oak, the other tree called for in patent not found; thence N. 24 W. 139 poles to a rock in the line with a White Oak and Black Oak as pointers, Fogle's corner; thence with Fogle's line S. $68\text{-}\frac{3}{4}$ W. 53 poles to a rock in a line of the old survey; thence with the old line S. $21\frac{1}{2}$ E. 118 poles to the beginning, containing 80 acres.

(8th)

A tract of land lying on Nelson Creek and adjoining some of the lands above mentioned and bounded as follows:

Beginning at two Maples, Benjamin Young's corner; running thence with Young's line S. 89 E. 180 poles to two Beeches, his corner, crossing Nelson Creek at 36 poles, at 40 poles and at 52 poles; thence due South 60 poles to the I. C. Railroad; thence with the Railroad Southwest 30 poles to a rock in Joseph Heck's line; thence due West 170 poles to a Sweet Gum; thence due North 90 poles to the beginning, containing 100 acres.

(9th) A tract of land on the waters of Nelson Creek adjoining the above mentioned tract and bounded as follows:

Beginning at a rock at a right-of-way of the Railroad and in Muir's line; thence S. 88 E. 64 poles to a rock, Muir's beginning corner; thence S. 48 E. 100 poles to three Beeches near a Copperas Spring; thence N. 37 E. 76 poles to a large Black Oak and Gum; thence N. 3 E. 178 poles to a rock, a Beech called for; thence N. 53 W. 30 $\frac{1}{2}$ poles to a Sycamore near a culvert; thence with the Railroad S. 53 W. 138 poles; thence S. 33 W. 28 poles; thence S. 24 W. 46 poles to the beginning, containing 161 acres.

(10th)

A tract of land on the waters of Nelson Creek adjoining the lands hereinabove described and bounded as follows:

Beginning at a rock, Young's corner; thence E. 57 poles to a stake; thence S. 143 $\frac{1}{2}$ poles to a Beech on the bank of a creek; thence N. 56 E. 30 poles to a stake; thence S. 89 E. 48 poles to a Sweet Gum and Walnut, two poles from the center of the I. C. Railroad; thence parallel with the railroad S. 47 W. 160 poles near the beginning of a curve; thence parallel with the railroad S. 24 W. 28 poles to a Gum; thence North 270 poles to the beginning, containing 96- $\frac{4}{10}$ acres.

(11th) A tract of land on the waters of Nelson Creek and adjoining the lands hereinabove conveyed and bounded as follows:

Beginning at a rock and Black Gum; thence S. 108 poles and 4 links to a rock; thence S. 86 $\frac{1}{2}$ E. 84 poles and 17 links to a rock; thence S. 7 W. 137 poles and 10 links to a small Hornbeam; thence N. 80 $\frac{1}{2}$ W. 101 poles and 15 links to three small Sweet Gums; thence S. 60 poles to a White Oak; thence S. 12 E. 12 poles to two Maples on a bank of a branch; thence S. 131 poles to two White Oaks and an Elm; thence N. 160 poles to a rock; thence E. 40 poles to a rock; thence N. 125 poles to a rock; thence W. 42 poles to a rock; thence N. 68 W. 70 poles to a rock; thence 50 poles to the beginning, containing 208- $\frac{4}{10}$ acres.

But from the above boundary there is reserved and excepted the surface rights to the following tract of land bounded as follows:

Beginning at a rock and Black Gum, running thence due South 108 poles and 4 links to a rock; thence S. $86\frac{1}{2}$ E. 84 poles and 17 links to a stone; thence S. 7 W. $133\text{-}8\frac{10}{10}$ poles to a stake in the old line; Beech pointer (Beech pointer being N. 23 E. 60 feet from a small Hornbeam, the old original corner); running thence N. $86\text{-}10$ E. $42\text{-}6\frac{10}{10}$ poles to the corner of the fence between Richardson's and above tract, (old corner gone) corner fence is S. 32 W. 20 feet from a Hickory pointer; thence N. 90 poles to a rock; thence E. 40 poles to a rock; thence N. 125 poles to a rock; thence W. 42 poles to a rock; thence N. 68 W. 70 poles to a rock; thence in a Westerly direction 50 poles to the beginning, containing 143.4 acres, which surface rights were conveyed to John Devine June 1st, 1912, by deed of record in the office of the clerk of the Muhlenberg County Court in Deed Book 85, page 75.

From the above described surface reserved out of Eleventh Tract the following reservation of minerals and mining privileges is shown: "The parties of the first part did reserve unto themselves, their heirs and assigns, all of the coals, oil, gas and other minerals lying on, or under and beneath the land herein described, all of which coals, oils, gasses and other minerals together with the privilege of mining and getting out same, and with the further privilege of using so much of the surface of said land as shall be necessary in sinking shafts and ventilation, openings for construction, maintaining, or using tramways or side tracks for convenient useage, taking and mining of said mineral rights together with the right of ingress and egress, and without damage against the parties of the first part, their heirs and assigns, for the construction and operation of said shafts, openings, tramways, said tracks or switches or mining of said coal, or taking away of same. The rights and privileges, minerals, oils, gasses, and mineral rights so reserved by the parties of the first part are hereby and herein conveyed to the party of the second part, its successors and assigns."

(12th) A tract of land on the waters of Nelson Creek adjoining the above mentioned lands and bounded as follows:

Beginning at a rock, formerly a Black Oak, Wilson's corner, running thence N. 82 W. 106 poles to a small White Oak, corner to the $73\text{-}3\frac{1}{4}$ acres set apart to Elizabeth B. Hendricks; thence with her line S. 210 poles to a Water Oak, two Gums marked as pointers in the McLean line, corner to said $73\text{-}3\frac{1}{4}$ acres; thence E. 106 poles to a stake in the McLean line; thence with the Wilson line N. 200 poles to the beginning, containing $138\text{-}3\frac{1}{4}$ acres.

(13th) Also all the minerals underlying the following tract of land situated on the waters of Nelson Creek and adjoining the lands hereinabove described and bounded as follows:

WP

1122'

1848

Beginning at a rock; running thence N. 45 W. 68 poles to a rock, Slaton's corner; thence N. 96 poles to a rock; thence S. 22 W. 112 poles to a rock, Gum corner to Mrs. Hendricks'; thence with her line E. 40 poles to a small White Oak, her corner and corner to McCormick's

1749

survey; thence S. 85 E. 106 poles to two Black Oaks; thence a direct line to the beginning, containing 100 acres, together with the following rights and privileges: "The right to enter upon and mine and remove all coals, oils and other minerals lying on or under and beneath the land hereinabove described, together with the privilege of using so much of the surface of said lands as shall be necessary for the sinking shafts and ventilation openings, construct and maintain and use tramways, switches or side tracks for the convenient using of said mineral rights, together with free ingress and egress and without damage against the parties of the second part for the construction and operation of the said shafts openings and tramways and side tracks or switches in an ordinarily prudent manner."

(14th)

A tract of land on the waters of Nelson Creek adjoining the lands hereinabove mentioned and bounded as follows:

Beginning at a rock, Casebier's corner on Sharp's line on the side of the road; thence S. 81 E. 120 poles to a rock, Sharp's corner; thence S. 18 W. 18 poles to a stake; thence S. 29-3/4 W. 40 poles to a stake, Withrow's corner; thence with his line N. 89 W. 108 poles to a stake, N. 13 E. 72 poles to the beginning, containing 46 acres.

(15th)

A tract of land on the waters of Nelson Creek adjoining the above described tracts of land and bounded as follows:

Beginning at a rock, Paget's corner; thence S. 89 degrees E. 174 poles on McLean's line to a rock; thence N. 29-3/4 E. 46 poles to a rock; thence N. 88 degrees W. 188 poles to a rock in Paget's line; thence with his line S. 8 degrees and 30 minutes W. 45 poles to the beginning, containing 50 acres.

There is excepted from the above boundary the following parcel of land: The surface of three and one-third (3-1/3) acres conveyed to R. F. White by deed dated February 11th, 1918, of record in the office of the clerk of the Muhlenberg County Court in Deed Book 95, page 184.

(16th)

A tract of land on the waters of Nelson Creek adjoining the lands hereinabove conveyed and bounded as follows:

Beginning at a marked A on the plat, a stake on Coppage's line, a large red oak and white sapling marked as pointers; thence with his line N. 71 E. 112 poles to a rock, Staples' corner, rock gone; thence N. 37 E. 118 poles to a stake in Casebier's line; thence with his line N. 47 W. 59 poles to a rock, Sharp's corner; thence N. 80 W. 63 poles to a rock, Sharp's corner, near the corner of his yard; thence S. 22 W. 177 poles to a rock, Sharp's corner; thence S. 18 W. 18 poles to the beginning, containing 100 acres.

There is excepted from the above boundary the following parcel of land: Fifty-two (52) acres of surface conveyed to G.W. Arndell Sept. 1, 1920, Deed Book 105, page 246.

(17th) All the coal and other minerals and mineral rights under a tract of land on the waters of Nelson Creek and adjoining the above described lands, which tract of land is bounded as follows:

Beginning at a stone, Southeast corner to J. Culbertson's survey, ^{534'} three hickories and a gum marked as pointers around it; running thence N. 45 E. 36 poles to a rock, two hickories and a red oak marked as pointers; thence ^{1518'} S. $77\frac{1}{2}$ E. 92 poles to a rock, two red oaks and dogwood marked as pointers; thence ^{3102'} S. 22 W. 188 poles to three red oaks and a white oak; thence N. 78 W. 98 poles to a poplar, gum and black oak in R. Cessna's line; ^{1617'} thence with his line N. 22 E. 160 poles to a sweet gum; ^{2640'} thence N. 35 or 55 W. 6 poles to the beginning, containing 110 acres. ^{99'}

The Grantor conveying to the parties of the second part all the coal and other minerals and mineral rights of whatever kind in and under the tract of land hereinabove described together with the privilege of mining, taking, removing and shipping of all of said coal and other minerals that may be found in or under said land and also the privilege of free ingress and egress in and over said land for the purpose of mining, taking, removing and shipping of said minerals therefrom and thereunder.

(18th) Also a tract of land situated on the waters of Nelson Creek and on the North side of I. C. Railroad and adjoining the lands hereinabove described and bounded as follows:

Beginning at a planted rock on the North bank of Nelson Creek and running thence up the Creek with its meanders N. 65 E. 4 poles; N. 43 E. 8 poles; N. 15 E. 12 poles; S. 38 E. 8 poles; N. 61 E. 6 poles; S. 70 E. 5 poles; N. 7 E. 6 poles; E. 12 poles; N. 14 poles; N. 55 E. 6 poles; S. 70 E. 6 poles; N. 40 E. 14 poles; S. 65 E. 4 poles; N. 55 E. 4 poles; N. 16 E. 6 poles; N. 60 E. 6 poles; N. 32 E. 6 poles; S. 50 E. 8 poles; N. 55 E. 8 poles; N. 35 E. 10 poles; S. 55 E. 8 poles; N. 60 E. 6 poles; S. 80 E. 12 poles; S. 45 E. 10 poles; N. 45 E. 4 poles; N. 15 E. 6 poles; N. 85 E. 4 poles; S. 30 E. 6 poles to a willow in the right-of-way of the I. C. Railroad; thence with the line of the Railroad N. 50 E. 14 poles; N. 55 E. 10 poles; N. 60 E. 18 poles to a planted rock on North side of the Railroad and in the Duncan line; thence with said line N. 3 E. 98 poles to a rock; thence with the Young line N. $87\frac{1}{2}$ W. 168 poles to a rock; Young's corner; thence with Young's line S. 3 W. 146 poles to the beginning, containing 120 acres, from which boundary however, is reserved 50 acres, bounded as follows

Beginning at a rock on the North side of Nelson Creek Young's corner; thence with his line N. 3 E. formerly due North 146 poles to a rock, another corner of Young's land; thence with another of Young's lines S. 87 $\frac{1}{2}$ E. formerly due East 57 poles to a walnut; thence S. 3 W. formerly due South 143 $\frac{1}{2}$ poles to a large Beech on the Creek; thence down the Creek with its meanders to the beginning, containing 50 acres, which 50 acres are herein conveyed to the party of the second part by the party of the first part and hereinbefore mentioned, leaving 70 acres, more or less, the residue of said tract which is hereby conveyed to the party of the second part. This conveyance also embraces the one acre conveyed to Mary E. Wilson by Calla E. McLean and others Dec. 20th, 1882, recorded in Deed Book 45, page 627, Muhlenberg County Court Clerk's office.

(19th)

Also a tract of land situated on the waters of Nelson Creek, adjoining the above described lands and bounded as follows, to-wit:

Beginning at an iron pin on the West side of the Hartford Road and at the corner of garden fence, the old Coleman Duncan corner; thence with an old line, plainly marked S. 74 degrees 30 minutes West nineteen hundred and forty-five feet (1945') to an iron pin at old poplar and beech, now down, Duncan's old corner, in Mrs. McLean's line; thence S. 2 degrees five minutes West with Mrs. McLean's line, twenty-five hundred and seventy-three (2573') feet to an iron pin at two old black gums and two old black oaks, the old corner; thence S. 32 degrees 30 minutes East one hundred and eighty-one and one-half (181.5) feet to an iron pin at a black oak (now gone) on edge of drain; thence South 89 degrees, 30 minutes East Eight hundred and forty and six tenths (840.6) feet to an iron pin in W. E. Frost's line (purchased from Vick) thence North 5 degrees West with said Frost's line three hundred and fifty (350) feet to an iron pin at Frost's corner, a small black oak; thence with his line S. 86 degrees East four hundred and fifty (450) feet to Frost's corner on the Hartford Road, an iron pin and a small dogwood; thence with the Hartford Road and following the meanderings of the same, North 15 degrees East two hundred (200) feet; thence North 48 degrees, 30 minutes East four hundred and sixty-two (462) feet; thence N. 11 degrees West seventy-three (73) feet; thence N. 33 degrees West two hundred and ten (210) feet; thence North 10 degrees 30 minutes West four hundred and eighty-five (485) feet; thence North 25 degrees 30 minutes East two hundred and twenty-three (223) feet; thence North 14 degrees 30 minutes East two hundred (200) feet; thence North 11 degrees 11 degrees, 30 minutes East two hundred and ten (210) feet; thence North 3 degrees, 30 minutes East four hundred forty (440) feet; thence North 25 degrees East three hundred and fifty (350) feet; thence North 9 degrees 35 minutes East two hundred and fifty (250) feet to the beginning, containing one hundred and six and

ninety-eighth hundredths (106.98) acres, more or less.

Of the above tract the mineral rights are reserved under a tract bounded as follows:

Beginning at an iron pin, the corner of Coleman Duncan and of John Vick (now Central Coal & Iron Company and Mrs. McLean) and running thence S. 2 degrees West nineteen hundred and eighty (1980) feet to an Elm; thence N. 74 degrees 30 minutes East fourteen hundred and eighty-five (1485) feet to a stake; thence West 2 degrees East nineteen hundred and eighty (1980) feet to a stake in the line between John Vick (now Central Coal & Iron Company) and Coleman Duncan; thence S. 74 degrees 30 minutes West to the beginning, containing 67.5 acres.

The mineral rights under this tract of land are now owned by the Nelson Creek Coal Company.

There is excepted from this tract of land the following parcels:

(a) Three (3) acres of surface conveyed to Levina E. Garrett and her husband, by deed dated June 26th, 1920, of record in the office of the clerk of the Muhlenberg County Court in Deed Book 104, page 548.

(b) Two (2) acres of surface conveyed to County Board of Education by deed dated June 26th, 1920, of record in said clerk's office in Deed Book 104, page 561.

(20th) Also a tract of land on the waters of Nelson Creek and adjoining the above mentioned tract, and bounded as follows:

Beginning at an iron pin at a Poplar and Beech (now down) Coleman Duncan's old corner with Mrs. McLean, and second corner of the above tract mentioned in this deed; thence North 6 degrees 30 minutes E. five hundred and eighty-five (585) feet to an iron pin at three small Gums on edge of N.E. & M.V. R.R. right-of-way; thence in a South-westerly direction on a 3 degree 30 minutes curve, following said right-of-way six hundred and ninety (690) feet to an iron pin opposite the West side of a culvert in said railroad, near a small willow, now down; thence South 69 degrees 30 minutes East five hundred and forty-one (541) feet to the beginning, containing three and six-tenths (3.6) acres, more or less.

(21st) A tract of land on the waters of Nelson Creek, and lying partly on the North and partly on the South side of the I. C. R.R. between Nelson and Martwich in Muhlenberg County, Kentucky, and bounded as follows:

Beginning at a small Ash (old call 2 Black Oaks and Hickory, Turner Wakeland's corner) North 45 degrees 30 minutes East 742.5 feet to a stake near a Beech stump; thence North 8 degrees 30 minutes East 808.5 feet to a stake; thence North 35 degrees West 2805 feet to a stake in a hollow; thence South 48 degrees West 1881 feet to a stake, Beech marked as pointer; marked M.L.W.,

Wakeland's corner; thence S. 44 $\frac{1}{2}$ degrees East 3300 feet to the beginning, containing 117.85 acres.

This is the same tract of land which was conveyed to the parties of the first part by Nelson Creek Coal Company September 10th, 1912, by deed of record in the Muhlenberg County Court Clerk's office in Deed Book 87, page 205.

There is excepted from this tract of land the following parcels:

- (a) Two and four-tenths (2-4/10) acres of surface conveyed to Iola Rule by deed dated May 17th, 1938, of record in said clerk's office in Deed Book 150, page 389.
- (b) Nine and thirty-one/one hundredths (9-31/100) acres of surface conveyed to M.D. Robertson and wife by deed dated May 23rd, 1944, of record in said clerk's office in Deed Book 160, page 575.

(22nd)

Also a tract of land on the waters of Nelson Creek on the North side of the Illinois Central Railroad near Nelson, Kentucky, and adjoining the lands hereinabove described, and bounded as follows, to-wit:

Beginning at a rock, Wilson's corner to the railroad; running thence N. 1 E. 166 poles to a forked white oak; old Black Oak down; thence N. 71 E. 132 poles to three Post Oaks, Staple's corner; thence S. 30 E. 112 poles to a Black Oak on the Ceralvo Road, Thompson's corner; thence with Thompson's line of the Ceralvo Road S. 31 W. when reduced to a straight line 118 poles to the Railroad; thence with the railroad N. 85 W. 20 poles; S. 85 W. 26 poles; S. 75 W. 26 poles; S. 70 W. 38 poles to the beginning, containing 168 acres.

There is excepted from this tract of land the following parcels:

- (a) One (1) acre of surface conveyed to Mrs. Annie Burden by deed dated August 26th, 1922, of record in said clerk's office in Deed Book 117, page 564.
- (b) Two (2) acres of surface conveyed to Roscoe White and wife by deed dated July 18th, 1942, of record in said clerk's office in Deed Book 148, page 630.

(23rd)

Also the surface rights to the following tract of land on the East side of the Greenville and Ceralvo Road adjoining the above described tract and bounded as follows:

Beginning at two Elms running N. 79 degrees 14 minutes W. 612.7 to a point in the center of dirt road; thence following the road N. 21 degrees 40 minutes E. 451.5 to a stake; thence N. 32 degrees 00 minutes East 556.30 to a stake N. 26 degrees 01 minutes E. 187.10 to a Black Oak, Staples' corner on West side road; thence N. 49 degrees 4 minutes 282 to a Black stump on the East side of the road, near Staples' Store; thence S. 6 degrees 27 minutes W. 1364 to the beginning, containing 11 acres.

All the minerals, oils, gasses, coals, iron and all other minerals; together with the right of ingress and egress, with the right and privilege of getting to, mining, and taking away of all such minerals, coal, oils, gasses, and other substances underlying said 11 acres were conveyed to the Nelson Creek Coal Company by parties of the first part September 10th, 1912, by deed of record in the Muhlenberg County Court Clerk's office in Deed Book 87, page 205. This 11 acres is a part of the 23½ acre tract being the first tract mentioned under Item 23 in the deed from the Central Coal & Iron Company to the parties of the first part of date April 27th, 1912.

Also the surface rights to a tract of land adjoining the 11 acre tract above described, bounded as follows:

Beginning at a Black Oak stump on the East side of the Ceralvo road opposite Staples' store, running thence S. 6 degrees 27 minutes W. 1364 feet to two Elms on the South side of road leading to Rockport, (old call beginning at a Beech and White Oak, running thence S. 30 W. 28 poles to an Elm); thence with the Rockport Road N. 63 degrees 48 minutes E. 685 feet to a Gum pointer on North side of said road (old call thence in a Northerly course to two small Black Oaks and Red Oak in the Ceralvo road in D. E. Rhoades line) thence N. 23 degrees 30 minutes E. 1151 feet to the beginning corner containing 8½ acres). The surface rights to said tract only are conveyed as the minerals thereunder are held and owned by the Nelson Creek Coal Company.

This is the same 8½ acre tract described in 23rd Item of the deed from the Central Coal & Iron Company to W. A. Wickliffe and others of date April 27th, 1912.

There is excepted from this tract of land the following parcels:

(a) One-half (½) acre of surface conveyed to Peter Hooter and William Roop by deed dated August 26th, 1922, of record in said clerk's office in Deed Book 115, page 106.

(b) Nineteen and two-tenths (19-2/10) acres, more or less, of surface conveyed to Everett Thomas and his wife by deed dated May 15th, 1946, of record in said clerk's office in Deed Book 159, page 476.

(24th) Also a tract of land on the East prong of Nelson Creek and on the North side of the Illinois Central Railroad and bounded as follows:

Beginning at a stone on the North side of the I.C. Railroad at the tunnel cut of said road, running with the said Railroad to a stone, J. Mason's corner on the North side of said Railroad; thence N. 20 $\frac{1}{2}$ E. 40^{660'} poles to a small Hickory and rock; thence S. 85 E. 21^{346.5} poles to a rock; thence N. 42 E. 142 poles to a 2343' Persimmon and Shumac; thence S. 59 E. 90 poles to a 1485 Black Oak and Hickory; thence S. 20 W. 50 poles to a 825 White Oak and Dogwood; thence S. 24 E. 24 poles to a 396 a Poplar and White Oak near some rocks; thence S. 45 W. to the beginning, containing 125 acres.

But from said boundary there is reserved and excepted 26-7/10 acres which the parties of the first part conveyed out of said tract to the Nelson Creek Coal Company on the 10th day of September, 1912, by deed of record in the Muhlenberg County Court Clerk's office in Deed Book 87, page 205. The said 26-7/10 acres being bounded as follows:

Beginning at a small Hickory, one of the original corners, S. 22 degrees 5 minutes W. 696 feet to the railroad; thence with the railroad S. 72 degrees 4 minutes E. 516.0 feet; thence S. 61 degrees 39 minutes E. 460.0 feet; thence S. 81 degrees 9 minutes E. 369.6 feet; thence N. 77 degrees 41 minutes E. 363.0 feet; thence N. 79 degrees 23 minutes E. 96.0 feet; thence N. 31 degrees 30 minutes W. 1420 feet to a stake in the old line, Black Oak and two Beeches, pointers; thence S. 44 degrees 38 minutes 438 feet to a rock, one of the original corners; thence N. 76 degrees 39 minutes W. 376 feet to the beginning, containing 26.7 acres.

There is excepted from this tract the following parcels:

(a) One and three-tenths (1.3) acres of surface conveyed to Pascal Ezell and his wife by deed dated November 18th, 1942, of record in said clerk's office in Deed Book 149, page 123.

(b) 52500 square feet conveyed to John D. Morris by deed dated September 9th, 1943, of record in said clerk's office in Deed Book 153, page 273.- Surface only conveyed.

(c) Three and 61/100 acres of surface conveyed to Pascal Ezell and his wife by deed dated January 8th, 1944, of record in said clerk's office in Deed Book 149, page 123.

For further exceptions from this tract see exceptions following Tract 25-B.

(24th-A) Also all the minerals, rights and privileges, together with all coal, ores, etc., with the privileges of mining and working the same, that is on or under the surface of a certain boundary of a tract of land lying and being in the County and State above mentioned, and is adjoining the above mentioned described tract of land, together with all of the rights and privileges conveyed to the said Nelson Creek Coal Company, and which is a part of that tract of land, known as the Turner Wakeland tract of land, and which was conveyed to the Nelson Creek Coal Company by W. A. Wickliffe, et al., on the 16th. day of May, 1908, by deed of record in the Muhlenberg County Court Clerk's office in Deed Book 74, page 357. Said tract is bounded as follows:

Beginning at a small Ash, Turner Wakeland's corner, S. 45 degrees 30 minutes W. 720 feet to a stake, Hickory and Sweet Gum pointers; thence N. 31 degrees 30 minutes W. 3289 feet to a stake which is South 44 degrees 30 minutes W. 60 feet from a stake, corner, and Beech pointer, marked M.L.W.; thence S. 44 degrees 30 minutes W. 3210 feet to the beginning, containing 25.5 acres. This is the same tract of land conveyed to the parties of the first part by the Nelson Creek Coal Company September 10th. 1912, by deed of record in the Muhlenberg County Court Clerk's office in Deed Book 87, page 205.

(24th-B) Also the fee simple to the following tract of land lying between Nelson and Martwick on the South side of the I.C. R.R. and bounded as follows:

Beginning at a stake which is N. 48 degrees E. 12 feet from a stake, Beech pointer, marked M.L.W., the Wakeland corner; thence N. 48 degrees E. 780 feet to the center of the I. C. R.R. about the center of the big sand cut; thence with the R.R. N. 55 degrees 32 minutes W. 289 feet; thence S. 31 degrees 30 minutes W. 848 feet to the beginning, containing 10.2 acres.

Being a part of that tract of land known as the John G. Mason land, and being the same tract of land conveyed to the parties of the first part by the Nelson Creek Coal Company, September 10th. 1912, by deed of record in the Muhlenberg County Court Clerk's office in Deed Book 87, page 205.

(25th) Also a tract of land adjoining the land above described on the North side of the I.C. Railroad and bounded as follows:

A. Beginning at a Hickory and Poplar on the old line; thence N. 42 E. 21½ poles to a Black Gum near a branch
387.75 thence S. 38 E. 23½ poles to two White Oaks; thence S. 99.0
313.5 40 W. 19 poles to two Hickories; thence S. 4 E. 60 poles
1089 to a Gum, Ash and Spanish Oak on a drain; thence S. 46
E. 66 poles to two Black Gums and Dogwood in Yonts' old line; thence N. 22½ E. 29½ poles to a Black Gum and Hickory, said Yonts' beginning corner and corner

to a 50 acre survey of said Yonts; thence with the line of said survey N. 50 E. 66 poles to a Hickory, the beginning corner of said survey; thence N. 50 W. 2240' → 136 poles to a White Oak and Elm; thence S. 42 W. ← 643.5' → 39 poles to the beginning, containing 66-3/4 acres. ^{1089'} 

Also another tract adjoining the above described tract and bounded as follows:

B. Beginning at a Shumac and Persimmon ^{1485'} on the edge of the old mill field, running S. 59 E. 90 poles to a ^{357'} Hickory and Black Oak; thence N. 22 1/2 E. 58 poles to two Black Gums and a Dogwood; thence N. 46 W. 66 poles to a Gum, Ash and Spanish Oak; thence S. 45 W. 75 poles to the beginning, containing 33 1/2 acres. ^{1089'} ^{1237.5'}

There is excepted from Tracts 25, 25-A and 25-B the following parcels:

- (a) Two (2) acres of surface conveyed to J. W. Sigers by deed dated June 26th, 1942, of record in said clerk's office in Deed Book _____, page _____.
- (b) 43560 square feet of surface conveyed to J. E. Danks and his wife by deed dated December 17th, 1942, of record in said clerk's office in Deed Book 149, page 196.
- (c) One (1) acre of surface conveyed to Maggie Beck by deed dated September 24th, 1917, of record in said clerk's office in Deed Book 90, page 101.
- (d) Two (2) acres of surface conveyed to J. W. Segers & Co by deed dated January 6th, 1943, of record in said clerk's office in Deed Book 152, page 224.
- (e) Nineteen and 67/100 acres of surface conveyed to Howard Miller and his wife by deed dated March 9th, 1943, of record in said clerk's office in Deed Book 151, page 539.
- (f) 26740 square feet of surface conveyed to Chas. I. Sandefur by deed dated October 26th, 1943, of record in said clerk's office in Deed Book 161, page 535.

For further exceptions from Tract 25-B see exceptions following Tract 26.

(26th) Also a tract of land on the waters of Nelson Creek adjoining the lands above mentioned and bounded as follows:

Beginning at two Beeches on the bank of a branch, corner to 100 acre survey formerly owned by Samuel J. Rule and in the old line; thence with the same North 6 West 138 poles to a Poplar and Beech; thence South 75 West 49 poles to a Hickory and Hickory stump on a hillside; thence N. 40 W. 114 poles

to a Gum and Hickory; thence S. 22 W. 80 poles to a White Oak and small Hickory, corner to the 100 acre survey; thence with the line thereof S.46 E. 236 poles to the beginning, containing 102 acres.

There is excepted from this tract the following parcels:

(a) Four and 43/100 acres of surface conveyed to R. L. Tucker and his wife by deed dated June 24th, 1943, of record in said clerk's office in Deed Book 158, page 57

(b) Five and 83/100 acres of surface conveyed to R. L. Tucker and R. L. Tucker, Jr., by deed dated November 2nd, 1943, of record in said clerk's office in Deed Book 158, page 56.

(c) The surface of a lot in Martwick, Kentucky, known as the P.K. Lewis Lot, conveyed to Ab J. Mercer by deed dated April 9th, 1918, of record in said clerk's office in Deed Book 95, page 587.

(d) Two and 3/10 acres of surface conveyed to the County Board of Education by deed dated August 1st, 1919, of record in said clerk's office in Deed Book 101, page 598.

(e) One and 1/2 acres of surface in Martwick, Kentucky, conveyed to Heilman Humphrey by deed dated May 28th, 1921, of record in said clerk's office in Deed Book 109 page 8.

(f) 31360 square feet of surface conveyed to Avaneli Gallagher by deed dated September 14th, 1943, of record in said clerk's office in Deed Book 157 page 125.

(g) 41650 square feet of surface conveyed to Edith Louise Doss by deed dated July 6th, 1943, of record in said clerk's office in Deed Book 157, page 25.

(h) 30180 square feet of surface conveyed to Robert Jarvis and his wife by deed dated May 9th, 1944, of record in said clerk's office in Deed Book 156, page 492.

(i) 43485 square feet of surface conveyed to Mervin Durham and his wife by deed dated March 12th, 1943, of record in said clerk's office in Deed Book 156, page 318.

(j) 43680 square feet of surface conveyed to Aaron Durham and his wife by deed dated September 21st, 1943, of record in said clerk's office in Deed Book 156, page 56.

(k) 44851 square feet of surface conveyed to Ben Toppas and his wife by deed dated October 24th, 1944, of record in said clerk's office in Deed Book 155 page 322

(l) One (1) acre, more or less, conveyed to Edna E. Brandon by deed dated June 7th, 1943, of record in said clerk's office in Deed Book 155, page 289.

- (m) Two (2) acres of surface conveyed to Stella Eaves by deed dated October 11th. 1943, of record in said clerk's office in Deed Book 154, page 271.
- (n) 16320 square feet of surface conveyed to Lawson Decker and mother, Martha Decker, by deed dated December 30th. 1943, of record in said clerk's office in Deed Book 153, page 453.
- (o) 42000 square feet of surface conveyed to Melvin Mason and his wife, Stella, by deed dated February 7th. 1944, of record in said clerk's office in Deed Book 153, page 129.
- (p) 15600 square feet of surface conveyed to Marion Maddox and his wife by deed dated February 7th. 1944, of record in said clerk's office in Deed Book 152, page 290.
- (q) 42000 square feet of surface conveyed to Ada Duncan by deed dated December 7th. 1943, of record in said clerk's office in Deed Book 152, page 260.
- (r) 13206 square feet of surface conveyed to Ree Sublett by deed dated February 3rd. 1944, of record in said clerk's office in Deed Book 152, page 199.
- (s) Two and 86/100 acres of surface conveyed to Howard Ray Miller by deed dated September 5th. 1942, of record in said clerk's office in Deed Book 151, page 538.
- (t) One (1) acre, more or less, conveyed to M. D. Robertson by deed dated June 29th. 1942, of record in said clerk's office in Deed Book 151, page 275. Surface only conveyed.
- (u) 30780 square feet of surface conveyed to Robert Jarvis and his wife by deed dated December 28th. 1942, of record in said clerk's office in Deed Book 150, page 283.
- (v) 38359 square feet of surface conveyed to George Putman and his wife by deed dated December 2nd. 1942, of record in Deed Book 150, page 231.
- (w) 43725 square feet of surface conveyed to Raymond Holbert Durham and his wife by deed dated August 5th. 1942, of record in said clerk's office in Deed Book 148, page 535.
- (x) 30500 square feet of surface conveyed to D.N. Frain and wife by deed dated September 1st. 1942, of record in said clerk's office in Deed Book 148, page 469.
- (y) 35532 square feet of surface conveyed to John Frain by deed dated July 28th. 1942, of record in said clerk's office in Deed Book 148, page 395.
- (z) 67/100 of an Acre of surface conveyed to Jim Roop, Don Key and Clarence Sheffield, Trustees, by deed dated January 17th. 1942, of record in said clerk's office in Deed Book 148, page 217.

- (a-1) 30420 square feet of surface conveyed to M. D. Robertson by deed dated September 23rd, 1942, of record in said clerk's office in Deed Book 160, page 574.
- (b-1) One and 95/1000 acres of surface conveyed to Thomas L. Reddish and wife by deed dated January 8th, 1944, of record in said clerk's office in Deed Book 162, page 401.
- (c-1) 27888 square feet of surface conveyed to Ree Childers and his wife by deed dated December 7th, 1943, of record in said clerk's office in Deed Book 162, page 297.
- (d-1) Three and 6/10 acres of surface conveyed to Gus Lewis and his wife by deed dated October 6th, 1943, of record in said clerk's office in Deed Book 161, page 338.
- (e-1) 34611 square feet of surface conveyed to Louise Embry by deed dated September 11th, 1945, of record in said clerk's office in Deed Book 160, page 530.
- (f-1) 21300 square feet of surface conveyed to Tom Ray and his wife by deed dated August 7th, 1944, of record in said clerk's office in Deed Book 160, page 211.
- (g-1) 30090 square feet of surface conveyed to Miles McKnight and his wife by deed dated August 7th, 1944, of record in said clerk's office in Deed Book 160, page 155.
- (h-1) 49098 square feet of surface conveyed to Flora Kellems by deed dated August 11th, 1943, of record in said clerk's office in Deed Book 159, page 119.
- (i-1) 44080 square feet of surface conveyed to James Maddox and his wife by deed dated January 7th, 1944, of record in said clerk's office in Deed Book 158, page 466.
- (j-1) Seven and 6/10 Acres of surface conveyed to Drucie Fields by deed dated April 18th, 1944, of record in said clerk's office in Deed Book 158, page 318.
- (k-1) 28500 square feet of surface conveyed to Hanson Brand by deed dated January 9th, 1945, of record in said clerk's office in Deed Book 157, page 584.
- (l-1) 17354 square feet of surface conveyed to Thomas Fabrick Brand by deed dated July 6th, 1943, of record in said clerk's office in Deed Book 157, page 147.
- (m-1) 44216 square feet of surface conveyed to Bonnie Fulkerson by deed dated August 1st, 1942, of record in said clerk's office in Deed Book _____, page _____.
- (n-1) 32428 square feet of surface conveyed to Robert Fulton and his wife by deed dated May 9th, 1944, of record in said clerk's office in Deed Book _____, page _____.
- (o-1) 20405 square feet of surface conveyed to Retha Louise Kellems by deed dated March 27th, 1944, of record in said clerk's office in Deed Book _____, page _____.

(p-1) 20746 square feet of surface conveyed to Tom Ray and his wife by deed dated December 4th. 1943, of record in said clerk's office in Deed Book _____, page _____.

(q-1) 41340 square feet of surface conveyed to Albert Ray and his wife by deed dated September 10th. 1943, of record in said clerk's office in Deed Book _____, page _____.

(r-1) 18112 square feet of surface conveyed to W. C. Sheffield by deed dated March 5th. 1945, of record in said clerk's office in Deed Book _____, page _____.

(s-1) One and 9/100 acres of surface conveyed to Mrs. Lena May Alexander and Mrs. Myrtle Johnson by deed dated June 7th. 1943, of record in said clerk's office in Deed Book _____, page _____.

(t-1) 22400 square feet of surface conveyed to Mrs. Lena May Alexander and Mrs. Myrtle Johnson by deed dated January 11th. 1943, of record in said clerk's office in Deed Book _____, page _____.

(u-1) 43680 square feet of surface conveyed to Lorena Beasley by deed dated July 6th. 1943, of record in said clerk's office in Deed Book _____, page _____.

For further exceptions from Tract 26 see exceptions following Tract 27.

(27th) Also a tract of land lying on the North side of the I.C. Railroad at Martwick, Kentucky, and bounded as follows:

Beginning at Dilman's corner, a rock; running thence N. 6 W. 30 poles to two beeches on the bank of a branch; thence N. 46 W. 236 poles to a White Oak and small Hickory in the old line; thence with the same S. 22 W. 62 poles to the corner, a White Oak; thence S. 48 $\frac{1}{2}$ E. 29 poles to a Poplar and White Oak near a point of rock; thence S. 36 E. 170 poles to a Hickory, Gum and Dogwood; thence N. 75 E. 80 poles to the beginning, containing 100 acres.

There is excepted from this Tract the following parcels:

(a) One and 6/1000 acres of surface conveyed to Charles I. Sandefur by deed dated June 24th. 1942, of record in said clerk's office in Deed Book 155, page 543.

(b) 43700 square feet of surface conveyed to R.E. Dukas and his wife by deed dated September 9th. 1943, of record in said clerk's office in Deed Book 154, page 11.

(c) 29550 square feet of surface conveyed to Taylor Sublett and his wife by deed dated April 13th. 1944, of record in said clerk's office in Deed Book 152, page 508.

(d) 43300 square feet of surface conveyed to Phillip Uzell and his wife by deed dated December 28th. 1942, of record in said clerk's office in Deed Book 152, page 203.

(e) 43300 square feet of surface conveyed to Phillip Uzzle and his wife by deed dated July 8th. 1943, of record in said Clerk's office in Deed Book 152, page 201.

(f) One (1) acre of surface conveyed to S.K. Goffman by deed dated June 26th. 1942, of record in said clerk's office in Deed Book 150, page 388.

(g) 5500 square feet of surface conveyed to M.D. Robertson by deed dated July 2nd. 1942, of record in said clerk's office in Deed Book 160, page 576.

(h) 31620 square feet of surface conveyed to George Roop and his wife by deed dated October 21st. 1944, of record in said clerk's office in Deed Book 162, page 247.

(i) 26256 square feet of surface conveyed to Arlest Maddox and his wife by deed dated December 7th. 1943, of record in said clerk's office in Deed Book 157, page 555.

(j) 30630 square feet of surface conveyed to M.B. Ball and his wife February 7th. 1944, of record in said clerk's office in Deed Book _____, page _____.

(k) 44600 square feet of surface conveyed to Norman Bastin and his wife by deed dated January 8th. 1944, of record in said clerk's office in Deed Book 154, page 10.

(l) 40226 square feet of surface conveyed to John Fields by deed dated January 29th. 1944, of record in said clerk's office in Deed Book 152, page 61.

(m) 43875 square feet of surface conveyed to Nick Lewis and Mariah Lewis by deed dated April 6th. 1944, of record in said clerk's office in Deed Book _____, page _____.

(n) One and 2/10 acres of surface conveyed to Jewell Morris and his wife, Doshie Alice Morris, by deed dated December 8th. 1943, of record in said clerk's office in Deed Book _____, page _____.

(o) 43750 square feet of surface conveyed to Jewell Morris and his wife, Doshie Alice Morris, by deed dated September 9th, 1943, of record in said clerk's office in Deed Book _____, page _____.

For further exceptions from Tract 26 see exceptions following Tract 38.

(28th) Also a tract of 220 acres lying on the North side of the I. C. Railroad adjoining the lands hereinabove described and bounded as follows:

Beginning at G. W. and P. E. Norton's corner, two Gums and a Dogwood; running with their line, also the line of the said original survey S. 15 E. 204 poles to an Ash; thence with the line of the old Davis survey S. 60 E. 145½ poles to a Black Gum, Poplar and Dogwood; thence N. 54½ E. 51 poles to a rock thence N. 17 W. 247 poles to a Hickory and Beech; corner of the original survey; thence N. 86 W. 148 poles to the beginning, containing 220 acres.

An undivided one-half of said tract was conveyed to the Central Coal & Iron Company on the 21st. day of January, 1882, by George W. Norton and wife by their deed of record in the Muhlenberg County Court Clerk's office in Deed Book 31, page 50. On the 25th. day of September, 1891, the said Central Coal & Iron Company, together with William A. Robinson and others, executed deeds of division in and by which the said Central Coal & Iron Company was deeded 110 acres thereof, bounded as follows:

Beginning at a stake, corner to said first party's (that is William A. Robinson and others) 110 acre tract in the line of the old Davis survey; running thence with it South 60 East 33½ poles to a Black Gum, Poplar and Dogwood; thence N. 54½ E. 51 poles to a rock; thence North 17 West 247 poles to a Hickory and Beech; thence North 86 West 67 poles to the beginning.

This Deed is recorded in said clerk's office in Deed Book 41, page 98.

On the same day the said Central Coal & Iron Company conveyed its interest in the remaining undivided one-half to the said William A. Robinson, bounded as follows:

Beginning at G. W. and P. E. Norton's corner, two Gums and a Dogwood; running with the line of the original survey S. 15 E. 204 poles to an Ash; thence with the line of the old Davis Survey S. 60 E. 110 poles to a stake; thence N. 15 W. 259-5/10 poles to a stake; thence N. 86 W. 81 poles to the beginning, containing 110 acres, which deed is of record in said clerk's office in Deed Book 41, page 91.

And afterwards, to-wit, on the 8th. day of September, 1898, the said William A. Robinson and others did convey the said 110 acres heretofore conveyed to them to the said Central Coal & Iron Company by deed of record in said clerk's office in Deed Book 45, page 632, which last 110 acres was afterwards conveyed by the Central Coal & Iron Company to James S. Pirtle, Trustee, by deed dated April 21, 1899, of record in said clerk's office in Deed Book 47, page 173. On the 1st. day of October, 1906, the said James S. Pirtle and wife did re-convey all of said land to the Central Coal & Iron Company by deed of record in said clerk's office in Deed Book 67, page 322.

- (29th) Also a tract of land adjoining the lands hereinabove conveyed and on the North side of the Illinois Central Railroad and on Green River.

Beginning at a Hickory on the bank of Green River at the mouth of a slough, 5 poles above the ferry at Rockport; running thence W. 175½ poles to a Hickory and Elm; thence S. 56 W. 48 poles to a Beech and Hickory; thence S. 17 E. 237½ poles to a stone; thence N. 62 E. 184 poles to a stone; thence N. 21 E. 100 poles to a stone on the river; thence down the river following the meanders thereof 96 poles to the beginning, containing 300 acres.

There is excepted from this tract the surface of the tract conveyed to the Natural Rock Asphalt Corporation by deed dated April 24th. 1922, of record in said clerk's office in Deed Book 111, page 417.

- (30th) Also an undivided one-third interest in a tract of land situated on the waters of Pond Creek adjoining the lands hereinafter conveyed on the South side of the Illinois Central Railroad and bounded as follows:

2062.5 Beginning at two White Oaks, running thence S. 47 E. 192 poles to a Poplar, Dogwood and Black Gum; thence N. 43 E. 125 poles to a Black Oak; thence N. 47 W. 192 poles to two Dogwoods; thence S. 43 W. 125 poles to the beginning, containing 150 acres. 3168'

But from said tract there is reserved and excepted 10 acres on the South end thereof, bounded as follows:

396 2062.5
Beginning at a Black Oak, running thence S. 43 W. 125 poles to a Poplar and Gum; thence N. 47 W. 24 poles to a Dogwood and Elm; thence N. 57 E. 130 poles to the beginning, containing 10 acres, which leaves 140 acres in said tract. 2145

(31st) Also three tracts of land adjoining the last described tract of land set out, situated on the South side of the Illinois Central Railroad and known as the Richmond Mining Company property and more particularly described as follows:

Beginning at an ash, E. Wootton's corner; running S. 60 E. 180 poles to a gum and beech on Philip Graves line; thence S. 35 E. 30 poles to a beech on Ham's old line; thence with said line S. 70 W. 100 poles to two hickories and a sassafras, Barbara Ham's old corner; thence N. 44 poles to a white oak and dogwood; thence West 146 poles to Ham's old corner; thence with said Ham's line S. 88 poles to a hickory and two ashes on John S. Graves line; thence with Graves' line N. 57 W. 150 poles to three dogwoods; thence N. 10 E. 42 poles to a hickory and two dogwoods, Elijah Wootton's corner; thence N. 75 E. 179 poles to the beginning, containing 165 acres.

Also one small tract of land taken from John S. Graves' old survey containing 38 acres. This conveyance including a certain survey containing $18\frac{1}{2}$ acres formerly purchased by Joseph Milligan under a decree of the Muhlenberg Circuit Court in the case of Jacob Ham's Admr. vs. Catherine Ham and others. These two tracts of 165 and 38 acres being the same conveyed to W. B. Smith and others by E. D. Moore on the 30th. day of January, 1872, by deed of record in the Muhlenberg County Court Clerk's office in Deed Book 25, page 496, and includes the $116\text{-}\frac{3}{4}$ acres an undivided $\frac{2}{9}$ ths interest of which was conveyed to the Richmond Mining Company by M. C. Hay, Commissioner, by deed dated February 24th. 1874, of record in said clerk's office in Deed Book 27, page 288.

Also a tract of 18 acres and 8 poles adjoining the 165 acre tract above mentioned just South of and bordering along the Illinois Central Railroad and bounded as follows:

Beginning at an ash stump, the beginning corner; running thence S. 77 W. 116 poles to a rock, Rule's corner; thence with that line N. 4 W. 28 poles to a stake at the right-of-way of the railroad; thence with the right-of-way of said railroad N. 80 E. 80 poles to a curve of the road; thence with the curve of said road 32 poles to a stake in the old line; thence with the old line S. 13 E. 16 poles to the beginning, containing 18 acres and 8 poles, an undivided one-half interest of which was conveyed to the Richmond Mining Company by P. L. Townes, Commissioner, on the 3rd. day of November, 1888, by deed of record in said clerk's office in Deed Book 38, page 124. The other undivided one-half interest having been conveyed to the said Richmond Mining Company on the 20th. day of July, 1888, by George W. Norton and wife by deed of record in said clerk's office in Deed Book 38, page 156.

On the 25th. day of August, 1898, David C. Lyman and wife as the only son and heir of A. B. Lyman, conveyed his undivided interest in said lands to W. B. Smith by deed of record in said clerk's office in Deed Book _____ page _____, and on the 17th. day of November, 1898, C. J. Bronston and wife and W. B. Smith and wife conveyed their undivided interest in said lands to the Central Coal & Iron Company by deed of record in said clerk's office in Deed Book 47, page 292. And again on the 2nd. day of December, 1898, the said W. B. Smith and wife again conveyed all of his interest in said land to the said Central Coal & Iron Company by deed of record in said clerk's office in Deed Book 47, page 291. And again on the 28th. day of May, 1910, H. C. Rice, Commissioner of the Madison Circuit Court, conveyed all the rights of the said owners, W. B. Smith, Lewis E. Francis, C. J. Bronston and A. B. Lyman, as well as the Richmond Mining Company in and to said tracts of land to the Central Coal & Iron Company by deed of record in said clerk's office in Deed Book 78, page 616.

There is excepted from Tract 31 the following parcels:

(a) One (1) acre, more or less, of surface conveyed to A. J. Mercer by deed dated February 13th. 1915, of record in said clerk's office in Deed Book 88, page 551.

(b) Two and 16/100 acres of surface conveyed to Julie Mayhugh by deed dated August 1st. 1942, of record in said clerk's office in Deed Book 155, page 193.

(c) 47300 square feet of surface conveyed to Dudley Mason and his wife by deed dated February 8th. 1944, of record in said clerk's office in Deed Book 153, page 130.

(d) Ten (10) acres of surface rights conveyed to Thomas E. Riley and his wife by deed dated July 14th. 1943, of record in said clerk's office in Deed Book 150, page 381.

(e) 87391 square feet of surface conveyed to Richard Moore and his wife by deed dated September 1st. 1942, of record in said clerk's office in Deed Book _____, page _____.

(d) There is excepted from tracts Nos. 21, 27, 30 and 31 92 acres of surface conveyed by the Greenville Coal Company to Omer Coffman and his wife, Mildred Coffman, by deed dated August 14th. 1947, now of record in said clerk's office in Deed Book 163, page 347.

(32nd) Also the undivided one-third interest of the said party of the first part in and to all the minerals and coal privileges of the following described 528 acres more or less of land in the said Muhlenberg County, State of Kentucky, with right of ingress, egress and regress in and over said tract, to work and haul such minerals and coal and salt water over said land to market or any place of deposit, with the right to sink shafts, drive drifts and to search for minerals or any other substances of value that may be found under the surface of said land. It is understood, however, that the party of the second part shall not interfere with the land in cultivation or buildings in their mineral or coal operations.

The said 528 acres more or less are divided and bounded as follows, viz:

Beginning at an ash tree; thence S. 18 E. 112 poles to a Beech near a lick on said creek; thence S. 68 E. 190 poles to a Hickory in Smith's line; thence S. 15 W. 82 poles to a Gum tree and two Hickory trees; thence N. 60 E. 20 poles to a stake; thence N. 40 W. 12 poles to a stake; thence N. 12 W. 118 poles to a stake in the field; thence N. 12 W. 111 poles to a stake in the field; thence S. 70 W. 30 poles to a Walnut tree; thence N. 44 W. 82 poles to a rock in the land; thence N. 50 E. 104 poles to a Poplar and Gum tree; thence N. 20 W. 78 poles to a Hickory tree; thence S. 72 E. 102 poles to a Beech tree; thence S. 47 E. 192 poles to a poplar, Dogwood and Black Gum tree; thence N. 43 E. 125 poles to a Black Oak tree; thence N. 47 W. 152 poles to two Dogwood trees; thence S. 43 W. 125 poles to the beginning, containing 528 acres, more or less.

The correct boundary of said tract of land, which was surveyed October, 1911, is as follows:

Beginning at an ash, the old beginning corner; thence S. 8 degrees 18 minutes E. 1890.72 feet to a beech on bank of Pond Creek; thence S. 58 degrees 45 minutes E. 2957.51 feet to a stone; thence N. 7 degrees 25 minutes E. 1445.15 feet to a stone; thence N. 66 degrees 05 minutes E. 342.88 feet to a stone; thence N. 38 degrees 37 minutes W. 211.35 feet to a beech; thence N. 11 degrees 29 minutes W. 1948.70 feet to a point in a lane; thence S. 78 degrees 36 minutes W. 214.24 feet to an old stump in a lane; thence N. 39 degrees 13 minutes W. 1129.97 feet to a stone in a lane; thence N. 54 degrees 10 minutes E. 2957.96 feet to a stone; thence N. 17 degrees 32 minutes W. 1128.77 feet to a fence post; thence S. 72 degrees 29 minutes W. 1476.78 feet to a beech; thence S. 72 degrees 18 minutes W. 1746.04 feet to a fence post; thence N. 4 degrees 46 minutes E. 695.73 feet to a fence post; thence N. 86 degrees 14 minutes W. 2513.68 feet to a hickory; thence S. 3 degrees 47 minutes W. 1024.53 feet to a stake in the hollow; thence S. 87 degrees 57 minutes E. 1453.23 feet to a White Oak stump in field; thence S. 12 degrees 04 minutes E. 2950.48 feet to the beginning.

An undivided one-third interest in and to the above described interest in real estate was conveyed to the Greenville Coal Company by W. A. Wickliffe and others, as hereinafter set out. The remaining two-thirds interest was conveyed to the Greenville Coal Company by the heirs of H. H. Haynes by deed dated December 2nd, 1920, of record in the office of the clerk of the Mühlenberg County Court in Deed Book 107, page 284. For exceptions from this tract see Tract 33. Also a tract of land on the waters of Pond Creek adjoining the land above described and bounded as follows:

(33rd)

Beginning at a white oak on the bank of the creek; running N. 12 E. 38 poles to a white oak; thence N. 37 E. 50 poles to an ash on Ham's old line; thence N. 11 W. 180 poles to a White Oak and Beech; thence W. 90 poles to a stake; thence S. 78 poles to a Black Oak; thence S. 57 W. 130 poles to a Dogwood and Elm; S. 47 E. 24 poles to a Poplar and Black Gum; thence S. 44 W. 30 poles to a hickory and elm; thence S. 75 W. 150 poles to a Black Oak and Gum; thence S. 11½ E. 123 poles to a Maple; thence N. 75 E. 92 poles to a Sassafras, Hickory and Gum on the bank of the creek; thence with the meanders thereof to the beginning, containing 500 acres.

The correct boundary of said land as surveyed in October, 1911, is as follows:

Beginning at two White Oaks on bank of Pond Creek; thence N. 15 degrees 43 minutes E. 655.76 feet to a small Gum; thence N. 45 degrees 20 minutes E. 1006.59 feet to an Ash, the beginning corner of the Ham tract; thence with said tract N. 12 degrees 04 minutes W. 2950.48 feet to a White Oak stump; thence N. 87 degrees 57 minutes W. 1453.23 feet to a stake; thence leaving the Ham tract S. 3 degrees 20 minutes W. 1268.17 feet to a stake; thence S. 61 degrees 05 minutes W. 2102.14 feet to a stake; thence S. 42 degrees 42 minutes E. 401.27 feet to a Poplar stump;

thence S. 49 degrees 15 minutes W. 491.55 feet to a stake; thence S. 79 degrees 08 minutes W. 2499.8 feet to a stake; thence S. 3 degrees 57 minutes W. 2276.4 feet to a large Black Oak; thence N. 74 degrees 05 minutes E. 1585.99 feet to a stone on the bank of Pond Creek; thence with said creek S. 36 degrees 39 minutes E. 1205.04 feet; S. 50 degrees 22 minutes E. 407.71 feet; S. 86 degrees 42 minutes E. 191.31 feet; S. 30 degrees 25 minutes E. 53.34 feet; S. 6 degrees 22 minutes W. 180.11 feet; S. 20 degrees 14 minutes E. 80.09 feet; S. 82 degrees 17 minutes E. 96.86 feet; N. 60 degrees 08 minutes E. 116.36 feet; thence N. 65 degrees 55 minutes E. 154.44 feet; N. 70 degrees 13 minutes E. 185.50 feet; N. 7 degrees 20 minutes E. 70.57 feet; N. 47 degrees 46 minutes E. 102.64 feet; S. 80 degrees 56 minutes E. 165.06 feet; N. 73 degrees 26 minutes E. 87.63 feet; N. 80 degrees 07 minutes E. 63.63 feet; N. 26 degrees 33 minutes W. 120.23 feet; N. 20 degrees 25 minutes W. 100.30 feet; N. 4 degrees 03 minutes E. 99.24 feet; N. 13 degrees 49 minutes E. 191.54 feet; N. 33 degrees 41 minutes E. 79.31 feet; N. 60 degrees 57 minutes E. 72.06 feet; S. 80 degrees 59 minutes E. 83.02 feet; S. 47 degrees 46 minutes E. 87.78 feet; S. 31 degrees 39 minutes E. 343.01 feet; S. 74 degrees 16 minutes E. 73.07 feet; N. 25 degrees 21 minutes E. 84.09 feet; N. 25 degrees 11 minutes E. 148.07 feet; N. 13 degrees 47 minutes E. 109.14 feet; N. 15 degrees 25 minutes W. 180.39 feet; N. 2 degrees 7 minutes E. 190.13 feet; N. 43 degrees 50 minutes W. 379.83 feet; N. 23 degrees 47 minutes W. 64.47 feet; N. 31 degrees 36 minutes E. 61.05 feet; N. 75 degrees 16 minutes E. 78.58 feet; S. 75 degrees 04 minutes E. 248.42 feet; S. 81 degrees 38 minutes E. 97.08 feet; N. 42 degrees 43 minutes E. 194.63 feet; N. 13 degrees 19 minutes E. 134.60 feet; N. 7 degrees 47 minutes W. 162.50 feet; N. 6 degrees 1 minute W. 95.52 feet; N. 54 degrees 56 minutes E. 127.06 feet; S. 73 degrees 37 minutes E. 141.75 feet; N. 51 degrees 44 minutes E. 156.56 feet; S. 64 degrees 27 minutes E. 125.24 feet; S. 14 degrees 42 minutes W. 232.51 feet; S. 40 degrees 29 minutes W. 102.31 feet; S. 31 degrees 23 minutes E. 69.11 feet; S. 75 degrees 19 minutes E. 173.67 feet; N. 74 degrees 04 minutes E. 116.47 feet; N. 58 degrees 47 minutes E. 270.11 feet; N. 46 degrees 49 minutes E. 134.40 feet; N. 80 degrees 10 minutes E. 76.11 feet; S. 55 degrees 20 minutes E. 73.24 feet; S. 11 degrees 38 minutes E. 104.13 feet; S. 29 degrees 58 minutes W. 166.22 feet; S. 19 degrees 42 minutes W. 100.90 feet; S. 10 degrees 31 minutes E. 142.40 feet; S. 48 degrees 25 minutes E. 106.93 feet; S. 76 degrees 47 minutes E. 100.65 feet; N. 66 degrees 41 minutes E. 133.93 feet; N. 28 degrees 58 minutes E. 202.30 feet; N. 34 degrees 58 minutes W. 137.89 feet; N. 10 degrees 50 minutes W. 234.25 feet; N. 28 degrees 57 minutes E. 351.27 feet to the point of beginning.

Excepting the 24th A. and 24th B. tracts the foregoing tracts of land are the same tracts which were conveyed on the 27th day of April, 1912, by the Central Coal & Iron Company to W. A. Wickliffe, C. E. Martin and C. M. Martin, Trustees, for the use and benefit of E. J. Puryear, C. E. Martin, John T. Reynolds, Jr., Matt Lee Wickliffe, Paul R. Wickliffe and W. A. Wickliffe by deed of record

in the Muhlenberg County Court Clerk's office in Deed Book 86, pages 7 to 22.

There is excepted from Tracts 32 and 33 the following parcels:

(a) Three and 57/100 acres of surface, and (b) Four and 49/100 acres of surface conveyed to Richard Moore and his wife by deed dated December 31st, 1943, of record in said clerk's office in Deed Book 155, page 491.

(34th)

All the coal, together with the right and privilege of mining and taking away said coal herein conveyed under the following described tract of land in Muhlenberg County, Kentucky, near the Illinois Central Railroad and bounded as follows:

Beginning at a rock with a Black Gum pointer, a Hickory being called for; thence S. 38 E. 118 poles to a Hickory, corner to R. and John Yonts; thence N. 72-3/4 E. 67-3/4 poles to a rock on the East side of a branch; thence N. 38 W. 142 poles to a rock in said H. P. Danks' line; thence S. 51 1/2 W. 65 poles to the beginning, containing 50 1/4 acres. ¹⁹⁴⁷ ^{1117.88} ₂₃₄₃ _{1072.5}

This is the same mineral rights which were conveyed to M. F. Moore and W. A. Wickliffe by R. W. Danks and wife on the 19th. day of June, 1907, by deed of record in said clerk's office in Deed Book 71, page 125. The said Wickliffe and Moore having on the 6th. day of July, 1907, conveyed an undivided one-third interest in same to J. E. Reynolds by deed of record in Deed Book 70, page 398, and Mollie S. Reynolds, widow and devisee of said J. E. Reynolds having conveyed the interest of the said J. E. Reynolds in same to the said parties of the first part, as trustees aforesaid, October 11th. 1911, by deed of record in Deed Book 81, page 533.

The interest of M. F. Moore was conveyed to the Greenville Coal Company by M. F. Moore and wife, by deed dated February 2nd. 1915, of record in said clerk's office in Deed Book 90, page 99.

MINERAL

(35th)

Also all coals lying in, on and under the following described tract of land with the right of ingress and egress, with the privileges of mining and taking away same and such uses and services as may be incident to or convenient for the proper mining and taking away of said coals therefrom on the following tract of land situated on the waters of Nelson Creek, in Muhlenberg County, Kentucky, and bounded as follows:

Beginning at a planted stone, Peter Jones' old corner, running with his line 40 poles to a rock; thence S. 90 poles to a Hickory, McLean's corner; thence E. 80 poles to a Water Oak, two Gums marked as pointers; thence N. 210 poles to a small White Oak; thence W. 40 poles to a Black Gum in the old line; thence S. 2 1/2 W. 120 poles to the beginning, containing 73 1/2 acres, being the same mineral and mining rights conveyed to the said Wickliffe, Martin and Martin, trustees aforesaid, on the 14th. day of September, 1910, by W. D. McElhinny and wife by deed of record in the office of the Muhlenberg County Court Clerk in Deed Book 79, page 365.

(36th) Also two tracts of land in fee lying at Milligan Station on the Illinois Central Railroad in Muhlenberg County, Kentucky, and bounded as follows:

A. Beginning at a forked Beech, formerly Moore's corner, now corner to the Moore land hereinabove conveyed; running thence with his line N. $12\frac{1}{2}$ E. 126 poles to a Poplar, formerly Moore's corner; thence N. 77 W. old call N. 80 W. 53 poles to a rock, Elm pointer; thence S. 31 W. 126 poles to a rock at the South Carroll road; thence with the Greenville and Ceralvo Road S. 38 W. 38 poles to a Honey Locust; corner to two acre survey in the old line; thence S. 77 E. 104 poles to the beginning, containing 77 acres.

B. A tract of land adjoining the above and bounded as follows:
Beginning at a stone, corner in the yard fence in the road; thence East to the right-of-way of the I. C. Railroad; thence with the said railroad to a Poplar; thence to the public road; thence to the beginning, containing two acres.

The above two tracts of land are the same which were conveyed to the said Wickliffe, Martin and Martin, trustees, by D. F. and T. L. Roll and others on the 15th. day of August, 1910, by deed of record in the office of the clerk of the Muhlenberg County Court in Deed Book 79, page 288.

For exceptions from Thirty-Sixth (A. and B.) see exception following Thirty-ninth Tract.

(37th) A tract of land lying in the county of Muhlenberg on the South side of the I. C. Railroad near the waters of Green River and bounded as follows:

Beginning at a Black Gum, Poplar and Dogwood, Robinson and Norton's corner in a line; thence with their line N. $54\frac{1}{2}$ E. 51 poles to a rock, their corner; thence N. 17 W. with their line $9\frac{1}{2}$ poles to Mattingly's corner; thence N. 62 E. with Mattingly's line 184 poles to a rock, his corner in the old line; thence with the old line S. 21 W. 108 poles to a beech marked P.G.; thence S. 55 W. 134 poles to a Beech; thence N. 35 W. 27 poles to a gum and beech; thence N. 60 W. 52 poles to the beginning, containing 84 acres, less one acre reserved for a cemetery.

This being the same tract of land which was on the 21st. day of January, 1911, conveyed to the said Wickliffe, Martin and Martin, trustees aforesaid, by James W. Oates, Master Commissioner of the Muhlenberg Circuit Court by deed of record in the office of the clerk of the Muhlenberg County Court in Deed Book 81, page 228.

But there is reserved, however, from said tract of land 20 acres of the surface thereof which was sold on the 1st. day of April, 1911, by the said trustees to Howard Moppin and bond for deed executed by them to the said Moppin, which is to be surveyed and set off hereafter. It being agreed between the said trustees and the said

Moppin that said land should be so surveyed so as to include the residence now occupied by the said Howard Moppin and the beginning corner of the said 20 acres would commence on the West side of said house now occupied by said Moppin and on that line reading "N. 62 E. with Mattingly's line 184 poles to a rock, his corner in the old line", and commencing at a corner to be established on said line so as to include said residence. The dividing line shall then run in a Southerly direction so as to intersect either the line leading S. 21 W. 108 poles to else S. 65 W. 134 poles so as to include, set off and lay aside to the said Howard Moppin 20 acres off the East end of said 84 acre tract as the case might be.

The surface rights only to said 20 acres were conveyed by bond to the said Moppin, the said trustees reserving unto themselves, their heirs and assigns, all mining privileges of coal, oil, or other minerals, with the right to mine and take away same. With the right of ingress and egress and such privileges and uses as may be necessary to them, their heirs and assigns in the proper mining and taking away of said coals, oils, gases and other minerals, and in no event to be responsible to the said Howard Moppin, his heirs or assigns for any breaks that might occur to the surface of said land by reason of same having been undermined and not to be responsible for any damage caused by reason of any mining operations by the parties of the first part, their heirs and assigns, on said land or adjacent lands. That they have the right and privilege of running a ditch across said land and if it should ever become necessary to run a tramway across that land to have that right and privilege.

All of which reservations, rights and privileges reserved by the said trustees under their contract and bond for deed to the said Howard Moppin under said twenty acres are hereinabove conveyed to the party of the second part herein.

(38th) Also the following described property situated on the North side of the Illinois Central Railroad in said County and State, bounded as follows:

Beginning at an Ash, beginning corner to the original survey; running thence with the original line S. 75 W. 113 poles to a rock; thence N. 6 W. 200 poles to a Poplar and Beech in the old line; thence with said old line N. 75 E. 82 poles to a Dogwood and two Gums; thence S. 15 E. 195 poles to the beginning, containing 119-3/4 acres.

But from said boundary there is excepted and reserved 18 acres and 8 poles which were conveyed to the Richmond Mining Company by deed of record in the Muhlenberg County Court Clerk's office in Deed Book 38, page 156, which said 18 acres and 8 poles have been fully set out in another section in this deed and which are conveyed to the party of the second part in this conveyance as hereinbefore set out, and which leaves in this conveyance

101 acres and 112 poles conveyed in fee. This 101 acres and 112 poles is the same land which was conveyed to J. E. Reynolds on the 8th. day of June, 1907, by Lillie H. Norton and others by deed of record in said clerk's office in Deed Book 71, page 126. The said Reynolds and wife having afterwards, to-wit, on the 6th. day of July, 1907, conveyed an undivided one-third interest each to W. A. Wickliffe and M. F. Moore by deed of record in said clerk's office in Deed Book 70, page 398. And afterwards the said J. E. Reynolds died leaving his last will and testament in and by which he devised his interest in this tract of land, together with his interest in the mineral rights set out in Section 34 of this deed to his wife, Mollie S. Reynolds, which will is of record in the Muhlenberg County Court clerk's office in Will Book 4, page 357, and on the 11th. day of October, 1911, the said Mollie S. Reynolds, as widow and devisee of the said J. E. Reynolds, sold and conveyed her undivided one-third interest in the above tract of land to the said Wickliffe, Martin and Martin, trustees aforesaid, by deed of record in said clerk's office in Deed Book 81, page 533.

The interest of M. F. Moore was conveyed to the Greenville Coal Company by M. F. Moore and his wife, by deed dated February 2nd. 1915, of record in said clerk's office in Deed Book 90, page 99.

There is excepted from this tract the following parcels:

- (a) Two and 16/100 acres of surface conveyed to Henry Pirtle and his wife by deed dated May 11th. 1944, of record in said clerk's office in Deed Book 155, page 298.
- (b) Five and 6/100 acres of surface conveyed to Ree Childers and his wife by deed dated February 27th. 1945, of record in said clerk's office in Deed Book 162, page 299.
- (c) One (1) acre of surface conveyed to Henry Pirtle and his wife by deed dated March 17th. 1945, of record in said clerk's office in Deed Book 156, page 438
- (d) 44054 square feet of surface conveyed to Henry Pirtle and his wife by deed dated January 7th. 1944, of record in said clerk's office in Deed Book 155, page 297.
- (e) Three and 3/100 acres of surface conveyed to James Maddox and his wife by deed dated April 23rd. 1945, of record in said clerk's office in Deed Book _____, page _____.
- (f) 38400 square feet of surface conveyed to Albert _____ by deed dated September 14th. 1943, of record in said clerk's office in Deed Book _____, page _____.

(g) Two and 126/1000 acres of surface conveyed to Jake Bowen and his wife by deed dated December 8th, 1943, of record in said clerk's office in Deed Book _____, page _____

(h) Sixteen and 41/100 acres of surface conveyed to Earl Buford and his wife by deed dated October 8th, 1943, of record in said clerk's office in Deed Book _____ page _____

(i) Three and 64/100 acres of surface conveyed to Earl Buford and his wife by deed dated November 18th, 1942, of record in said clerk's office in Deed Book 150, page 353.

(39th) Also a tract of land on the North side of the Illinois Central Railroad in said County and State at Milligan Station, bounded as follows:

Beginning at a Locust, corner to T. L. Roll; thence with his line N. 38 E. 34 poles to a railroad iron; thence N. 31 $\frac{1}{2}$ E. 126 poles to a rock, an Elm pointer; thence with Ferguson's line N. 76-3/4 W. 103 poles to a Black Gum, Hickory pointer; thence S. 12-3/4 W. 164 poles to a Sassafras and Sugar Tree; thence S. 76-3/4 E. 48 poles to the beginning, containing 76 acres.

This being the same tract of land which was on the 18th, of October, 1910, conveyed to W. A. Wickliffe and Charles E. Martin by James T. Casebier and wife October 18th, 1909, by deed of record in said clerk's office in Deed Book 77, page 302.

There is excepted from the above boundary and boundaries 3 and 56 of this tract 106 acres of surface conveyed to Abraham Reed and his wife, Mary Reed, by deed dated July 23rd, 1946, of record in said clerk's office in Deed Book 160, page 162.

There is also excepted from Tract 39 the following:

The surface rights to the following lot situated in Martwick, Kentucky, on the West side of the E. Hope Norton tract of land, and just North of the Boarding House of the Greenville Coal Company, known as house #32, bounded as follows:

Beginning at a dead black oak, the Southwest corner running thence N. 5 degrees 15 minutes West 100 feet to a stake; thence N. 84 degrees 45 minutes East 305 feet to a stake; thence 5 degrees 15 minutes East 100 feet to a stake; thence South 84 degrees 45 minutes West 305 feet to the beginning, which was conveyed to Carl Coats by deed dated February 13th, 1915, of record in said clerk's office in Deed Book 88, page 552.

There is also excepted from Tract 39, 6 acres of surface conveyed to Filmore Reed by deed dated June 23rd, 1946, of record in said clerk's office in Deed Book 161, page 73.

There is excepted from the various Thirty-nine Boundaries, which go to make up Tract 15, the following parcels:

(a) Two (2) acres of surface rights conveyed to S. J. Avery by deed dated June 23rd. 1921, of record in said clerk's office in Deed Book 115, page 543.

(b) One (1) acre of surface rights conveyed to W.F. Wallace and E. B. Johnstone by deed dated June 23rd. 1921, of record in said clerk's office in Deed Book 108, page 452.

(c) Right-of-way conveyed to the Kentucky Utilities Company by deed dated January 16th. 1923, of record in said clerk's office in Deed Book 113, page 612.

(d) Twenty-four Hundredths (.24) of an acre, more or less, conveyed to the Chicago, St. Louis & New Orleans Railroad Company by deed dated July 14th. 1923, of record in said clerk's office in Deed Book 115, page 553. Coal and other mineral rights excepted.

(e) The surface of Twelve and Seven-tenths (12.7) acres more or less, conveyed to the Chicago, St. Louis & New Orleans Railroad Company by deed dated May 7th. 1923, of record in said clerk's office in Deed Book 116, page 40.

(f) The surface of a Right-Of-Way involving 25 acres, more or less, conveyed to the Commonwealth of Kentucky through its Department of Highways by deed dated Nov. 28th. 1938, of record in said clerk's office in Deed Book 144, page 123.

(g) The surface of a Right-Of-Way conveyed to the Commonwealth of Kentucky through its State Highway Commission by deed dated August 9th. 1930, of record in said clerk's office in Deed Book 131, page 393.

(h) The surface of a Right-Of-Way conveyed to the Commonwealth of Kentucky through its State Highway Commission by deed dated February 15th. 1929, of record in said clerk's office in Deed Book 128, page 144.

(i) The surface of an additional Right-Of-Way conveyed to the Commonwealth of Kentucky through its State Highway Commission by deed dated January 2nd. 1930, of record in said clerk's office in Deed Book 130, page 252.

TRACT 16: All the coal of every kind, character, nature and description in and under the following described two tracts or parcels of land lying and being situate in Mahlenberg County, Kentucky, together with the right to do the things necessary to mine and remove all the coal therefrom, or from any other tract or tracts of land now or hereafter owned by the party of the second part.

Said tracts of land are bounded as follows:

- " (1st) Beginning at two Black Oaks ^{709.5} on the Ceralvo road, running thence N. 46 W. 43 poles to two Poplars; ¹⁸⁴⁸ thence S. 43½ W. 112 poles to a Beech and rock in the Duncan line; thence with that line S. 70 W. 32 ⁵²⁸ poles to three Post Oaks and a Dogwood; thence S. ¹⁶⁵⁰ 31 E. 100 poles to three Black Oaks on the Ceralvo road; thence with said road N. 30 E. 160 poles to the beginning, containing 61 acres, more or less. ²⁶⁴⁰
- (2nd) Beginning at two Poplar stumps, Staples' ²³¹ corner; thence with Casebier's line N. 47 W. 14 poles to ¹⁹⁴⁷ a stake in a meadow; thence S. 37 W. 118 poles to Staples' corner; thence with his line N. 43 E. 116 ¹⁹¹⁴ poles to the beginning, containing 5 acres. //

Being the same coal and mining rights conveyed to the Greenville Coal Company by Martha Staples, a widow, and others, by deed dated January 2nd, 1923, of record in said clerk's office in Deed Book 115, page 103.

TRACT 17: All the coal and other minerals and mining rights in and under the following described two tracts of land, together with the right of ingress and egress to and from said land for the purpose of mining and removing said coal and other minerals, and the right to do all things necessary for that purpose.

Said two tracts of land are situate on the waters of Nelson Creek and Green River in Mahlenberg County, Kentucky, and are bounded as follows:

- (1st) Beginning at a White Oak and Red Oak, second corner of the original survey, running thence N. 79½ W. 125 ^{2062.5} poles to a Sweet Gum; thence N. 43½ E. 82 poles to a ¹³⁵³ stake in a field; thence S. 79½ E. 125 poles to a small Mulberry and Persimmon; thence S. 42½ W. 82 poles to the beginning, containing 52 acres. ^{2062.5}
- (2nd) Adjoining the above and beginning at a small Mulberry and Persimmon, corner between Sallie C. Howerton and R. G. Danks in the old line; thence with said line ³⁶³ N. 45 E. 22 poles to a Hickory and Black Oak, corner to ⁶²⁷ J. D. Sharp's 10 acre survey; thence with his line N. 51 W. 38 poles to his corner, a persimmon; thence with ⁴⁶² his line N. 11 E. 28 poles to a small Black Oak in the line of S. Sharp's old survey and corner to J. D. Sharp; thence with said line N. 82 W. 49 poles to a Willow, ^{809.5} corner to another survey of J. D. Sharp; thence with ¹¹²² his line S. 28 W. 68 poles to a stone, his corner in Sallie C. Sharp's and R. C. Danks' line near a spring; thence with said line S. 82 E. 85 poles to the beginning, containing 26 acres. ^{1402.5}

Being the same coal and mining rights conveyed to the Greenville Coal Company by J.R.P.Danks and his wife by deed dated April 23rd. 1929, of record in said clerk's office in Deed Book 128, page 547.

TRACT 18: A tract or parcel of land lying and being situate on the waters of Green River in Muhlenberg County, Kentucky, bounded as follows:

Beginning at a Hickory and Beech on the bank of Green River and running S. 21 W. 180 poles to a Beech, the beginning corner of Graves' first survey; thence S. 55 W. 126 poles to a Beech; thence S. 27 W. 4 poles to a Hickory, Barsheba Ham's corner; thence with Barsheba Ham's line N. 70 E. 88 poles to two Beeches and a Hickory; thence N. 43½ E. 265 poles to a stake on the bank of Green River; thence down the river to the beginning, containing 90 acres, more or less.

Being the same tract of land conveyed to the Greenville Coal Company by C. E. Martin and his wife by deed dated March 26th. 1934, of record in said clerk's office in Deed Book 137, page 282.

TRACT 19: The following described real estate, and interest in real estate, lying and being situate in Muhlenberg County, Kentucky, and more particularly described as follows:

(1st) All the coal under the following tract of land: Beginning at a large Poplar stump, running thence N. 42-42 W. 3091.5 feet to a rock, corner to Carr, Wakeland and Greenville Coal Company, (formerly two White Oaks on a bluff) thence S. 49-08 W. 474 feet to a rock, Carr's corner; thence N. 86-15 W. 585.6 feet to a rock, Carr's corner; thence N. 86-15 W. 585.6 feet to a rock, Carr's corner; thence S. 7-19 E. 1006.2 feet to a rock, Carr's corner; thence S. 7-47 E. 2043.2 feet to a rock at the foot of a large Black Oak, Sharp's corner; thence N. 76-29 E. 2539.5 feet to a point, old corner Hickory and Sassafras not found thence N. 20-49 E. 462.9 feet to the beginning, containing 137 acres, more or less.

There is a slight variation in the calls of this tract of land as herein described and as described in the deed by which the Gish Realty Company acquired title thereto. This is occasioned by a recent survey made for the purpose of securing a correct description.

It is agreed and understood that all the coal under the above described tract of land is all that is conveyed in this deed, with the privilege of mining and carrying away said coal as the party of the second part, its successors in title and assigns, may desire. No surface right is conveyed in this deed.

- (2nd) All the coal in and underlying the following described tract of land, together with the right to remove all the coal in, under and upon said tract of land, which tract is bounded as follows:

Beginning at a rock, corner to Otto Howerton, running thence with his line S. 69-46 E. 3663.3 feet to a rock; thence N. 3-48 E. 489.9 feet to a rock, Sharp's corner; thence N. 62-59 W. 2923 feet to a rock; Sharp's corner in Howerton's line; thence N. 58-26 W. 932.1 feet to a rock, corner to the 56 acre tract; thence S. 3-11 W. 1049.5 feet to the beginning, containing 53.5 acres, more or less

- (3rd) Beginning at a rock in the North line of the Howerton tract, running thence N. 29-10 E. 2385.4 feet to a Gum stump, formerly two White Oaks, Carr's corner; thence S. 89-11 E. 371 feet to a point at Alex Carr's Well House, formerly Black Oak and White Oak; thence S. 32-34 E. 1389.3 feet to a rock, formerly a stake Cundiff's line; thence S. 7-47 E. 2045.2 feet with Cundiff's line to a rock at the foot of a large Black Oak; thence S. 8-25 E. 225.6 feet to a rock, corner to Howerton tract; thence with the North line of the Howerton tract N. 62-59 W. 2923 feet to the beginning, containing 110 acres, more or less.

It is agreed and understood that all the coal under the above mentioned tract of land is all that is conveyed in this deed, with the privilege of mining and carrying away said coal as the party of the second part, its successors in title and assigns, may desire. No surface right is conveyed in this deed.

- (4th) All the coal and mineral rights, with the privilege of mining and carrying away all coal and minerals that may be in and under the following described tract of land, together with the right to purchase such portion of the surface of said land at \$50.00 per acre as may be used for opening shafts, constructing side tracks and buildings on said tract of land, said surface rights so to be used not to be taken, however, near buildings on said land. Said tract is bounded as follows:

Beginning at an iron pipe (formerly 2 White Oaks and a Hickory) Hickory and White Oak pointers; thence S. 50-30 W. 814.5 feet to a Hickory; thence S. 4-35 W. 1918.1 feet to a dead White Oak, (formerly 2 Hickories and 2 Black Oaks and White Oak) Northwest corner of the 56 Acre tract; thence with the North line of the 56 acre tract S. 86-56 E. 1240.4 feet to a Gum stump, Sharp's corner (formerly small Hickory, Black Oak and Hickory) thence with the line of the Sharp tract S. 89-11 E. 371 feet to a point at Alex Carr's Well House; thence still with Sharp's line S. 32-34 E. 1389.3 feet to a rock in Cundiff's line; thence with Cundiff's line N. 7-19 W. 1006.2 feet to a rock, Cundiff's corner; thence still with Cundiff's line S. 86-15 E. 585.6 feet to a rock, Cundiff's corner; thence still with Cundiff's line N. 49-08 E. 474 feet to a rock, corner to Wakeland, Cundiff and Greenville Coal Company; thence with a line of the Wakeland tract N. 44-41 W. 3521.6 feet to an iron pipe in old Poplar

stump, corner to the Wakeland tract and the 15 acre tract; thence N. 68-39 W. 494.7 feet to the beginning, containing 115 acres, more or less.

- (5th) (a) All coal seams, together with the right to mine and remove same, from the following described tract of land:

Beginning at a rock, R. T. John's corner (formerly Elm and Poplar) thence N. 32-54 E. 1295.1 feet to a dead White Oak, John's and Carr's corner; thence with Carr's line S. 86-56 E. 1240.4 feet to a Gum stump, corner to Sharp and Carr's line, (formerly Sweet Gum and White Oak) thence S. 29-10 W. 2385.4 feet with Sharp's line to a rock, Sharp's corner in Howerton's line; thence with Howerton's line N. 58-26 W. 932.1 feet to a rock, Howerton's Northwest corner; thence N. 1-31 E. 873.5 feet to the beginning, containing 56.5 acres, more or less.

- (b) All the coal, with the privilege of mining and removing the same, that is on or under the surface of the following described tract of land, together with all the coal mining rights and privileges owned by the Gish Realty Company therein. Said tract is bounded as follows:

Beginning at a pipe in a Poplar stump, corner to Carr's tract; thence with Carr's line S. 44-41 E. 3521.6 feet to a rock, corner to Carr, Cundiff and Greenville Coal Company (formerly Black Oak) thence N. 40-21 E. 803.8 feet to an Iron Pipe and Hickory, two Beech pointers, corner to Greenville Coal Company Mineral rights; thence N. 31-15 W. 3345.5 feet to a Beech, marked "M.L.W."; thence S. 52-43 W. 1604.7 feet to the beginning, containing 91 acres, more or less.

- (c) All the coal seams, together with the right to mine and remove the same, from the following described tract of land:

Beginning at an Iron Pipe in a Poplar, corner to Carr and Wakeland; thence N. 52-43 E. 1604.7 feet to a Beech marked "M.L.W."; thence N. 31-15 W. 848 feet to a point in the center line of the Illinois Central Railroad Company; thence S. 24-56 W. 1913 feet to the beginning, containing 15.6 acres, more or less.

It is mutually agreed and understood by and between the parties hereto that more or less of the No. 9 seam of coal in tract "c" has very probably been extracted from said tract of land through the workings of the Nelson Creek Coal Company. It is further agreed that if any of said coal from said tract "c" has been removed the party of the first part shall not be liable for any damage resulting to the party of the Second Part on account thereof, or otherwise.

- (d) A right-of-way strip 60 feet wide over and upon the surface of the boundary of land hereinafter described, running from the main line of the Illinois Central Railroad to the coal now and presently to be owned by the party of the Second Part, for the purpose of building, constructing and maintaining tracks and switches for the

purpose of developing, mining or marketing coal, or other minerals or substances, from the land now and presently to be owned by said party of the Second Part, or that may be hereafter acquired by it, its successors in title and assigns, adjoining its present holdings.

Said tract across which said right-of-way shall run is bounded and described as follows:

Beginning at a stake in the center line of the Illinois Central Railroad Company, said stake being located 1845 feet in an Easterly direction along the center line of said Railroad from a point in said center line opposite the Hoisting Shaft of the Nelson Creek Coal Company, said point being located so that horizontal line through center line of said shaft will be at 90 degrees with the center line of said railroad; thence S. 11-56 E. 1927 feet to an Iron pipe driven in the center of a dead Poplar stump, corner to William Carr and Truner Wakeland tract; thence with a line of the Wakeland Tract N. 45 E. 1567.5 feet to a stake near a Beech marked "M.L.W.", a corner to said Wakeland Tract; thence N. 48 E. 21 feet to a stake, corner to the Greenville Coal Company; thence N. 31-30 W. 843 feet to a stake in the center line of the Illinois Central Railroad; thence with the center line of said railroad in a Westerly direction to the beginning, containing 33.5 acres, more or less.

The party of the Second Part cannot at this time determine the specific location for said right-of-way. It is agreed that when said location is made same will be done so as not to interfere with or disturb any buildings now located on said tract of land. The party of the Second Part is hereby granted the right and privilege to use dirt off of said land along and adjoining said right-of-way, when specifically located, where same is necessary for the purpose of making fills and grading up the tracks, free of cost, or liability for damage to land or property adjoining said right-of-way strip, or the said above described 33.5 acre tract.

When the party of the Second Part decides to use said right-of-way it is to specifically locate same, and to give the Nelson Creek Coal Company, its successors in title and assigns, a sixty (60) day written notice of said location, together with a specific description of same, during which time the Nelson Creek Coal Company, its successors in title or assigns, will remove, or cause to be removed, all timber, surface structures, or appurtenances, belonging to it, its successors in title or assigns, or forfeit same to the party of the Second Part, its successors in title and assigns, who may remove same without any liability for damage to said Nelson Creek Coal Company, its successors in title and assigns, by such removal.

Upon notification by the party of the Second Part, its successors in title or assigns, to the Nelson Creek Coal Company, its successors in title or assigns, the said Nelson Creek Coal Company has agreed and bound itself, its successors in title and assigns, to sign, seal and

deliver to the party of the Second Part, its successors in title and assigns, a General Warranty Deed to the surface right in said specific right-of-way strip of land.

It is agreed that Second Party has no interest in the above described 33.3 acres, except for the above described purposes.

It is agreed that the Nelson Creek Coal Company, for itself, its successors in title and assigns, has reserved the right of passage across said right-of-way strip for people, teams, wagons, trucks and other vehicles, said passway to be located so that it is feasible for the crossing of said vehicles, and so that it will not interfere unreasonably with the operations of the party of the Second Part, its successors in title and assigns, said party of the Second Part, its successors in title and assigns not to be responsible for any damage that may occur to said Nelson Creek Coal Company, its successors in title and assigns, by reason of its or their use of such passageway.

Tract 19 being the same property conveyed to the Greenville Coal Company by the Gish Realty Company by its deed dated November 9th. 1935, of record in said clerk's office in Deed Book 140, page 60.

- ITEM 1: All personal property located on or under the above described real estate; together with all mine equipment, mine cars, machines, machinery, tippie, tippie equipment, screens, tram tracks, side tracks, mine tracks, and other tracks; mine supplies, farm equipment and farm supplies, farm tools, and livestock, and all other personal property of whatsoever kind, character, nature or description now owned by the Greenville Coal Company.
- ITEM 2: Some of the above described tracts or parcels of land are traversed by the Chicago, St. Louis and New Orleans Railroad Company and its Lessee, Illinois Central Railroad Company, and said tracts or parcels of land are owned by the said Greenville Coal Company subject to such rights as are owned by said Chicago, St. Louis and New Orleans Railroad Company.
- ITEM 3: Some of the above described tracts or parcels of land are likewise crossed by transmission lines of the Kentucky Utilities Company; Cumberland Telephone & Telegraph Company, and the Southern Bell Telephone & Telegraph Company. Where this is the case the said tracts or parcels of land owned by the Greenville Coal Company are subject to such rights as have been acquired by the Kentucky Utilities Company, the Cumberland Telephone & Telegraph Company, and the Southern Bell Telephone and Telegraph Company.
- ITEM 4: Some of the tracts or parcels of land are traversed by roadways along which the public has acquired a prescriptive right. Where this is the case said tracts or parcels of land which are owned by the said Greenville Coal Company are subject to such rights as have been acquired by the public.
- ITEM 5: On some of the tracts or parcels of land above described are located private or family graveyards. Where this is the case such tracts or parcels of land are subject to such rights in said private or family graveyards as have been acquired by other parties.
- ITEM 6: The party of the First Part, Greenville Coal Company, has executed various contracts and releases, and is the grantee in numerous contracts and releases, and all of this conveyance is subject to all said contracts and releases and they are made a part hereof the same as though fully copied herein, and the said Greenville Coal Company transfers all of its right, title and interest in same of whatsoever character, nature or description to the W. A. Wickliffe Coal Company.

ITEM 7: It is the intention of the party of the First Part, Greenville Coal Company, to, and it does hereby, transfer any and all right, title and interest which it has, or may have, in and to any real estate or personal property to the W. A. Wickliffe Coal Company, regardless of any omission, defect, or irregularity in the foregoing descriptions or title references.

ITEM 8: This conveyance is also made subject to all the terms and conditions of a Lease Contract covering a portion of said above described property between the Greenville Coal Company and George Morgan, dated September 25th, 1941, which Lease Contract has not been recorded, but the terms and conditions of which are embraced herein and made a part hereof as though copied herein in full, and until said lease shall by its terms expire the said George Morgan, his heirs and assigns, shall pay the remainder of any and all royalty that may be due under said Lease Contract direct to the W. A. Wickliffe Coal Company.

TO HAVE AND TO HOLD said property, together with all the appurtenances thereunto belonging or in anywise appertaining, unto the party of the Second Part, its successors in title and assigns, forever, with Covenant of General Warranty, subject, however, to the exceptions and reservations hereinabove set out.

IN TESTIMONY WHEREOF the party of the First Part, Greenville Coal Company, has hereunto subscribed its name by its president, P. R. Wickliffe, attested by its secretary, J. R. Martin, and affixed its corporate seal, all the day and date first hereinabove written.

GREENVILLE COAL COMPANY

By P. R. Wickliffe President.

Attest:

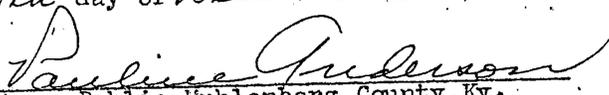
J. R. Martin Secretary.

State of Kentucky Sct.
County of Muhlenberg

I, Pauline Anderson a Notary Public in and for the County and State aforesaid, do certify that the foregoing Deed of Conveyance from the Greenville Coal Company, a Kentucky Corporation to the W. A. Wickliffe Coal Company, a Kentucky Corporation, was this day produced to me in my county by P. R. Wickliffe, President, and J. R. Martin, Secretary, of said Greenville Coal Company, who acknowledged the same to be the act and deed of the said Greenville Coal Company and their act and deed as President and Secretary thereof respectively, and who further stated and acknowledged that they were duly authorized to execute and deliver same for and on behalf of the said Greenville Coal Company, and the said J. R. Martin, Secretary of said Greenville Coal Company, further certified and acknowledged the corporate seal attached to said instrument was the true corporate seal of said Greenville Coal Company.

Given under my hand and seal of office this *14th* day of November, 1947.

My commission expires the *9th* day of *December* 1947


Notary Public, Muhlenberg County, Ky.

J. C. TURNER

1.2.1

DEED OUT

OUT OF X16-034

DEED OUT	
FIELD OFFICE	E.J.W. 11-8-83
ST. LOUIS OFFICE	D.K.F. 11-1-83
TRACING	D.K.F. 11-1-83

NOTE: TITLE CLEARANCE ONLY —
 FCC DID NOT CLAIM TO OWN THE SURFACE —
 APPEARS TO HAVE BEEN DEEDED OUT BY BRICKLIFFE
 COAL CO YEARS AGO — DEED WAS NOT RECORDED AS IS
 LOST!

11/1/83

THIS QUITCLAIM DEED OF CONVEYANCE, made and entered into this the 20th day of SEPTEMBER, 1983, by and between PEABODY COAL COMPANY, a Delaware corporation, authorized to do business in the Commonwealth of Kentucky, with offices at 301 North Memorial Drive, St. Louis, Missouri, party of the First Part, and G. C. MORPHEW and wife, DOROTHY MORPHEW, or the survivor, of General Delivery, Browder, Muhlenberg County, Kentucky 42326, parties of the Second Part,

WITNESSETH:

That for and in consideration of the sum of TWO THOUSAND (\$2,000.00) DOLLARS, cash in hand paid by Second Parties to First Party, the receipt of which is hereby acknowledged, the said party of the First Part has bargained and sold and does by these presents bargain, sell, alien, quitclaim and convey unto the said parties of the Second Part, and at the death of one, then to the survivor of them, their heirs, grantees and assigns, the SURFACE ONLY of the following lot or parcel of land situated and located in or near Browder, Muhlenberg County, Kentucky, and described as follows:

Beginning at an iron pin, said pin being 30 feet East of the centerline of U. S. Highway 431 and being the South West corner to a lot now owned by Glen Morpew; thence with the South line of said Morpew lot North 84-43 East, 219.00 feet to an iron pin in the West right-of-way line of the L & N Railroad; thence with said right-of-way South 10-51 East, 264.94 feet to an iron pin in the centerline of a ditch; thence with said ditch and a new division line North 79-44 West, 253.98 feet to an iron pin in the East right-of-way of U. S. Highway 431; thence with said right-of-way North 5-17 West, 195.62 feet to the beginning containing 1.21 acres, more or less.

The above description was prepared from a map or plat as a result of a survey by Douglas M. Hatfield, R.L.S. #2212, and said map or plat is dated December 8, 1982, and a copy of said map or plat is attached hereto and made a part hereof for any and all purposes whatsoever.

This conveyance is made subject to any and all instruments affecting the title to said property including, but not limited to, that right of way permit granted to Sargent Gas Company on June 10, 1965, from Louis Hardy

and Katie M. Legg, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 305, page 601.

As a part of the consideration for this conveyance, the above described property is made subject to the following terms and conditions:

Only the surface to the above described property is conveyed and the party of the first part specifically reserves unto itself, its successors in title and assigns, all the coal, oil, gas and other minerals in and under said above described lot or parcel of ground, together with the right to enter in and upon said land, prospect, bore for, and mine and remove all of said coal, oil, gas and other minerals therefrom, without any sort of liability to the parties of the second part, their heirs and assigns, for any damage which may accrue to said land or any part thereof, or any improvements thereon, by reason of mining and removing said coal, oil, gas and other minerals, whether from subsidence, copperas water damage or otherwise and the parties of the second part, for themselves, their heirs and assigns, specifically waive such damage, if any shall ever accrue.

In the event there is a transformer, power or telephone line, or any kind of pole line across the above described property, it is understood that the transformer, power or telephone line and poles are not conveyed, but reserved to the party of the first part, and the party of the first part reserves a right of way across the above described property, for the construction of power, telephone or any kind of pole lines.

The said parties of the Second Part, as a part of the consideration for this conveyance, agree to indemnify and save and hold harmless Peabody Coal Company from any and all liability, claim or expense that might be incurred in the event any adverse claim or claims might be made with respect to the above described property.

Being a part of the same property conveyed to W. A. Wickliffe Coal Company by S. C. Eaves, Trustee, by deed dated August 3, 1914, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 88, page 410, and being a portion of Tract #1, known as the J. C. Rhodes tracts in said conveyance. By deed dated October 20, 1952, recorded in said Clerk's office in Deed Book 192, page 385, W. A. Wickliffe Coal Company conveyed to Homestead Coal Company, an undivided 3/4 interest and to Sinclair Coal Company, an undivided 1/4 interest in said property by reference in the FIRST tract in said deed; on October 31, 1954, recorded in Deed Book 192, page 417, Sinclair Coal Company conveyed its undivided 1/4 interest in said property to Homestead Coal Company by reference to the FIRST tract in said deed. Homestead Coal Company was merged into and with Sentry Royalty Company as shown by Articles of

Merger dated October 18, 1957, recorded in said Clerk's office in Deed Book 214, page 207A. Sentry Royalty Company was merged into and with Peabody Coal Company, an Illinois corporation, as shown by Merger Agreement dated September 1, 1967, recorded in said Clerk's office in Articles of Incorporation Book 5, page 593. On March 29, 1968, recorded in Deed Book 264, page 1, Peabody Coal Company, an Illinois corporation, conveyed to Peabody Coal Company, a Delaware corporation, the subject property, among other tracts and identified in said conveyance as Item No. 1, File No. 16-34 on Exhibit A, Division VII, Commonwealth of Kentucky, Subdivision 7.07, Muhlenberg County.

TO HAVE AND TO HOLD, the SURFACE ONLY of the above described property, subject to the exceptions, reservations and conditions as contained herein, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said parties of the Second Part, and at the death of one, then to the survivor of them, their heirs, grantees and assigns, without warranty of title.

IN TESTIMONY WHEREOF, the said party of the First Part has hereunto caused this instrument to be executed, all pursuant to the authority and direction of its Board of Directors, on this the date first hereinabove written.

PEABODY COAL COMPANY

By: Wayne T. Ewing
(Name & Corporate Capacity)
WAYNE T. EWING
PRESIDENT

RMT
9-12-83

(Corporate Seal)

ATTEST:

J.M. Towhill
(Name & Corporate Capacity)
J.M. TOWHILL
ASSISTANT SECRETARY

BY: William E. Payne
WILLIAM E. PAYNE
SECRETARY

THIS DEED, made and entered into this the 16th day of May, 1921, by and between the W. A. Wickliffe Coal Company, party of the first part and Louis Hardy or Francis Hardy or survivor, parties of the second part,

WITNESSETH: That, the party of the first part, being there-unto duly authorized by its Board of Directors, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, in hand paid, the receipt of which is hereby acknowledged, hath bargained and sold and doth by these presents bargain, sell, alien and convey unto the parties of the second part, their heirs and assigns, forever, the following described lot or parcel of ground, lying and being located in or near the village of Browder, in Muhlenberg County, Kentucky, and bounded as follows:

INFORMATION COPY FOR
JIM BLACKBURN.

Beginning at a stake in the east right of way, line of highway #75, said stake being 30' at right angles from the center line of said highway; thence 30' from and parallel to the center line of the highway N 74 5 W 300.00 to a stake; thence N 82 15 E 192.0' to a stake in the west right of way, line of the L & N Railroad, said stake being 30' at right angles from the center line of said railroad; thence 30' from and parallel to the center line of same S 13 15 E 310.3' to a stake; thence S 82 15 W 220.7' to the beginning, containing 1.445 acres.

Being a part of tract #1 known as the J. C. Rhodes tract, conveyed to W. A. Wickliffe Coal Company by S. C. Eaves, Trustee, by his deed dated August 3, 1914, now of record in the office of the Muhlenberg County Court Clerk in Deed Book 88, page 410.

Only the surface to the above described property is conveyed and the party of the first part specifically reserves unto itself, its successors in title and assigns, all the coal, oil, gas and other minerals in and under said above described lot or parcel of ground, together with the right to enter in and upon said land, prospect, bore for, and mine and remove all of said coal, oil, gas and other minerals therefrom, without any sort of liability to the parties of the second part, their heirs and assigns, for any damage which may accrue to said land or any part thereof, or any improvements thereon, by reason of mining and removing said coal, oil, gas and other minerals, whether from subsidence, copperas water damage or otherwise and the parties of the second part, for themselves, their heirs and assigns, specifically waive such damage, if any shall ever accrue.

In the event there is a transformer, power or telephone line, or any kind of pole line across the above described property, it is understood that the transformer, power or telephone line and poles are not conveyed, but reserved to the party of the first part, and the party of the first part reserves a right of way across the above described property, for the construction of power, telephone or any kind of pole lines.

Said property is sold, however, upon condition that same, or any part thereof, shall be used for residential purposes only and not for the carrying on or conducting of any trade or business, and if at anytime said lot should be purchased by or occupied or used by any person or persons contrary to either of said conditions, the title to said property shall be forfeited to and vest in the W. A. Wickliffe Coal Company or its successors and assigns.

TO HAVE AND TO HOLD, said lots or parcel of ground with all the appurtenances thereunto belonging or in any wise appertaining, subject to the above reservations and conditions, unto the parties of the second part, their heirs and assigns, forever with Covenant of General

part, their heirs and assigns, forever, the following described lot or parcel of ground, lying and being located in or near the village of Browder, in Muhlenberg County, Kentucky, and being as follows:

Beginning at a stake in the east right of way, line of highway #75, said stake being 30' at right angles from the center line of said highway; thence 30' from and parallel to the center line of the highway N 7 45 W 300.0' to a stake; thence N 82 15 E 192.0' to a stake in the west right of way, line of the L & N Railroad, said stake being 30' at right angles from the center line of said railroad; thence 30' from and parallel to the center line of same S 13 15 E 310.3' to a stake; thence S 82 15 W 220.7' to the beginning, containing 1.445 acres.

Being a part of tract #1 known as the J. C. Rhodes tract, conveyed to W. A. Wickliffe Coal Company by S. C. Eaves, Trustee, by his deed dated August 3, 1914, now of record in the office of the Muhlenberg County Court Clerk in Deed Book 88, page 410.

Only the surface to the above described property is conveyed and the party of the first part specifically reserves unto itself, its successors in title and assigns, all the coal, oil, gas and other minerals in and under said above described lot or parcel of ground, together with the right to enter in and upon said land, prospect, bore for, and mine and remove all of said coal, oil, gas and other minerals therefrom, without any sort of liability to the parties of the second part, their heirs and assigns, for any damage which may accrue to said land or any part thereof, or any improvements thereon, by reason of mining and removing said coal, oil, gas and other minerals, whether from subsidence, copperas water damage or otherwise and the parties of the second part, for themselves, their heirs and assigns, specifically waive such damage, if any shall ever accrue.

In the event there is a transformer, power or telephone line, or any kind of pole line across the above described property, it is understood that the transformer, power or telephone line and poles are not conveyed, but reserved to the party of the first part, and the party of the first part reserves a right of way across the above described property, for the construction of power, telephone or any kind of pole lines.

Said property is sold, however, upon condition that same, or any part thereof, shall be used for residential purposes only and not for the carrying on or conducting of any trade or business, and if at anytime said lot should be purchased by or occupied or used by any person or persons contrary to either of said conditions, the title to said property shall be forfeited to and vest in the W. A. Wickliffe Coal Company or its successors and assigns.

TO HAVE AND TO HOLD, said lots or parcel of ground with all the appurtenances thereto belonging or in any wise appertaining, subject to the above reservations and conditions, unto the party of the second part, their heirs and assigns, forever with Covenant of General Warranty.

IN TESTIMONY WHEREOF, the party of the first part has hereunto subscribed its name by its president, P. K. Wickliffe, attested by its Assistant Secretary, J. Hart and affixed by its corporate seal all the day and date first above written.

W. A. WICKLIFFE COAL COMPANY

By P. K. WICKLIFFE PRESIDENT

ATTEST:

J. HART ASSISTANT SECRETARY

1.2.1

CORPORATION SPECIAL WARRANTY DEED

THIS DEED, made and entered into by and between PEABODY COAL COMPANY, a Delaware corporation, with its principal offices at 301 North Memorial Drive, St. Louis, Missouri 63102, party of the first part, Grantor, and CLYDE BROWN, JR., of Central City, Kentucky, party of the second part, Grantee;

WITNESSETH: That party of the first part for and in consideration of the sum of Ten Dollars (\$10.00) and other consideration, the receipt of which is hereby acknowledged, does hereby sell, grant and convey unto the party of the second part, his heirs and assigns, the SURFACE of the following described property, to-wit:

TRACT #1

016-185 - Beginning at a fence post in the South Right-of-Way of Highway 62, the Northwest corner of Owen Drake; thence S34-41E 91.07 feet to a fence post in the Drake and Robinson line, also being in the North Right-of-Way of West Kentucky Parkway; thence with the Right-of-Way S57-01W 53.62 feet to an iron post; thence still with the Right-of-Way S55-40W 1086.20 feet to an iron pin; thence still with the Right-of-Way S56-23W 125.22 feet to an iron pin, the Southwest corner of Carr; thence leaving the Right-of-Way with Carr's line, N32-07W 29.80 feet to an iron pin, corner of Carlos Carr in Kessinger's line; thence N58-15E 120.56 feet to an iron pin, the Southeast corner of Kessinger and the Northeast corner of Carlos Carr; thence N38-04W 147.50 feet to a fence post in the South Right-of-Way of Highway 62; thence with the Right-of-Way N59-48E 1155.47 feet to the point of beginning containing 3.55 acres by survey.

TRACT #2

016-034 - Beginning at a stake in the North Right-of-Way of Highway 62, the Southeast corner of James West; thence with the North Right-of-Way of Highway 62 N61-33E 142.17 feet; thence with Right-of-Way N68-21E 146.33 feet; thence with Right-of-Way N70-01E 163.87 feet; thence with Right-of-Way N76-46E 157.18 feet; thence N80-23E 185.61 feet; thence with Right-of-Way S88-55E 212.04 feet; thence with Right-of-Way S83-04E 215.57 feet; thence with Right-of-Way S76-42E 247.65 feet; thence with Right-of-Way S79-00E 311.69 feet to a stake; thence leaving the Right-of-Way of Highway 62 and continuing along the Right-of-Way of the Martwick County Road, formerly Kentucky Highway No. 1381, S82-15E 379.77 feet to a stake in the said Right-of-Way; thence leaving the Right-of-Way N25-21E 108.34 feet to a stake in the South Right-of-Way of the I.C.R.R.; thence with the Right-of-Way of the I.C.R.R. N66-40W 110.70 feet; thence with Right-of-Way N55-39W 654.03 feet; thence with Right-of-Way N56-25W 321.73 feet; thence with Right-of-Way N67-32W 206.69 feet; thence with Right-of-Way N74-13W 205.77 feet; thence with Right-of-Way N78-17W 462.65 feet; thence with Right-of-Way N74-26W 271.98 feet; thence with Right-of-Way N67-50W 233.24 feet; thence with Right-of-Way N61-18W 264.49 feet; thence with Right-of-Way N69-15W 211.73 feet; thence with Right-of-Way N82-16W 185.69 feet; thence with Right-of-Way N84-22W 259.33 feet to a 30 inch gum, the Northeast corner of

Ayrshire; thence with Ayshire line S29-27E 406.65 feet to a 12 inch dead white oak and stone, corner of James West; thence with West's East line S21-47E 378.91 feet to a 36 inch Beech, thence still with West's line S42-26E 910.76 feet to the beginning, containing 42.57 acres by survey.

Situated in Muhlenberg County, Commonwealth of Kentucky.

The above described lands being a part of those lands conveyed by Peabody Coal Company, an Illinois corporation, to Peabody Coal Company, a Delaware corporation, by instrument dated as of March 29, 1968, recorded in the office of the Clerk of the Muhlenberg County, Kentucky, Court in Deed Book 264, page 1.

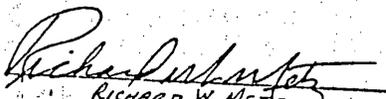
SURFACE ONLY is conveyed hereby, all coal, oil, gas and all other minerals of any kind, quality or nature whatsoever that may be owned by party of the first part are hereby expressly excepted and reserved unto the party of the first part and not hereby conveyed.

As part of the consideration for this conveyance, party of the second part, for himself, his heirs and assigns, hereby forever relinquishes all rights of subjacent and lateral support of the estate hereby granted to party of the second part, together with the right to assert any claims against Grantor, its successors and assigns, for subsidence and other damages which may arise with respect to any rights of subjacent and lateral support.

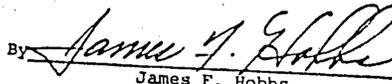
TO HAVE AND TO HOLD, the above-described lots or parcels of land, together with any and all appurtenances thereunto belonging or in anywise appertaining, unto the party of the second part, his heirs and assigns, forever, with Covenant of SPECIAL WARRANTY.

IN WITNESS WHEREOF, party of the first part has caused this instrument to be executed by its proper officers on this the 6th day of March, 1979.

ATTEST:


RICHARD W. METZ
Assistant Secretary

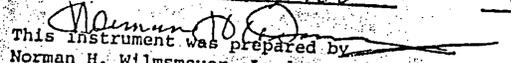
PEABODY COAL COMPANY

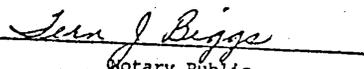
By 
James F. Hobbs
Vice President-Resource Management

STATE OF MISSOURI)
) SS:
CITY OF ST. LOUIS)

The foregoing Deed was signed and acknowledged before me on this the 6th day of March, 1979, by James F. Hobbs and attested by RICHARD W. METZ, Vice President-Resource Management and Assistant Secretary, respectively, of Peabody Coal Company, a Delaware corporation, on behalf of the corporation.

My Commission Expires:

NOVEMBER 14 1980

This instrument was prepared by
Norman H. Wilmsmeyer, Land Department
Peabody Coal Company, 301 North Memorial Drive
St. Louis, Missouri 63102


Sara J. Biggs
Notary Public

1.2.1

WAS 016-034
OUT OF NOW 1304-010

BOOK 415 PAGE 605

THIS QUITCLAIM DEED OF CONVEYANCE, made and entered into on this the 14th day of August, 1992, by and between PEABODY DEVELOPMENT COMPANY, a Delaware corporation, with offices and chief place of business at 200 North Broadway, (Post Office Box 14222), St. Louis, St. Louis County, Missouri 63178, party of the First Part, and the COUNTY OF MUHLENBERG, a body politic, under the laws of the Commonwealth of Kentucky, with an address of the Muhlenberg County Courthouse, Greenville, Muhlenberg County, Kentucky 42345, party of the Second Part.

W I T N E S S E T H:

That for and in consideration of the premises, the terms and provisions as contained herein and for no cash consideration, the said party of the First Part has bargained and sold and does by these presents bargain, sell, alien, quitclaim and convey unto the said party of the Second Part, its successors, grantees and assigns, the SURFACE ONLY of the following tract or parcel of land located in the Nelson Community on the South side of Highway No. 2590, in Muhlenberg County, Kentucky, and described as follows:

Beginning at an iron pin & cap (set) marked LS 2474, said pin being in the South right-of-way of Highway 2590 and 245 feet Northwest of the centerline of Highway 1379, and a corner with King; thence with King and later Singleton, S 33-54-16 W, 180.38 feet to an iron pin & cap (set), a corner with Singleton; thence with a new division line with Peabody Development Company N 72-37-24 W 246.05 feet to an iron pin & cap (set), corner to said Peabody Development Company; thence with a new division line with Peabody Development Company N 28-07-35 E 218.00 feet to an iron pin & cap (set), said pin being in the South right-of-way of Highway 2590 and 30 feet from the centerline of said Highway; thence with said right-of-way S 63-29-41 E 260.00 feet to the beginning, containing 1.139 acres more or less, according to a field survey conducted under the direction of Frank J. Kondracki, Jr. RLS 2474 during the month of June 1992.

Being a part of the same property conveyed to W. A. Wickliffe Coal Company, by Greenville Coal Company by deed dated November 14, 1947, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 164, page 199, and being a part of the SURFACE ONLY of the 22nd parcel of TRACT 15 of the MARTWICK PROPERTIES in said deed. On December 20, 1952, recorded

Tax Exempt

in the office of the said Clerk, in Deed Book 192, page 385, W. A. Wickliffe Coal Company conveyed said property to Homestead Coal Company (an undivided 3/4 interest) and Sinclair Coal Company (an undivided 1/4 interest) and being a part of the SECOND acreage in said deed. On December 31, 1954, recorded in Deed Book 192, page 417, Sinclair Coal Company conveyed to Homestead Coal Company its undivided 1/4 interest in said property being a part of the SECOND acreage in said deed. On December 18, 1957, Homestead Coal Company was merged into and with Sentry Royalty Company as shown by Articles of Merger recorded in the office of the said Clerk in Deed Book 214, page 207-A. Also, on December 1, 1967, recorded in Deed Book 261, page 500, Homestead Coal Company quitclaimed to Sentry Royalty Company all interest in its property. On September 1, 1967, recorded in the office of the said Clerk in Articles of Incorporation Book 5, page 593, Sentry Royalty Company was merged into and with Peabody Coal Company, an Illinois corporation. By deed dated March 29, 1968, recorded in the office of the said Clerk in Deed Book 264, page 1, Peabody Coal Company, an Illinois corporation, conveyed the said property to Peabody Coal Company, a Delaware corporation, and being a part of Items No. 1 & 2, File No. 16-34 on Exhibit A, Division VII, Commonwealth of Kentucky, Subdivision 7.07, Muhlenberg County, in this conveyance. On September 12, 1989, recorded in the office of the said Clerk in Deed Book 398, page 37, Peabody Coal Company conveyed said property to Peabody Development Company and being a part of Item No. 7 on Exhibit A of the Muhlenberg County, Kentucky, properties in said deed.

The said party of the Second Part has examined the said real estate on the ground and accepts the same as conveyed as set out above and any ambiguities, if any, in this conveyance shall be construed in favor of the party of the First Part and against said Second Party.

The said party of the First Part, for itself, its successors, grantees and assigns, specifically EXCEPTS, RESERVES AND RETAINS all of the coal, oil, gas and all other minerals of every nature and kind contained in and underlying the above described property, together with the full, free and unrestricted right and privilege to mine and remove said minerals on and underlying the surface herein conveyed, without liability for any damages of every kind, character or nature, howsoever caused, that may arise or result to the surface and/or subsurface of said land or any improvements thereon by reason of said mining and removal of coal, oil, gas and all other minerals and the said party of the First Part, its successors, grantees and assigns, excepts, reserves and shall have and retain the rights of ingress and egress over, on and across the surface and subsurface to and from said land for mining and mineral development purposes, together with the unlimited right to use

underground passages which may be made and constructed under said land for the transportation of coal, oil, gas and all other minerals or other substances and machinery, repairs and supplies to or from adjoining or other lands to or from which the First Party, its successors, grantees and assigns, may desire to transport the same, without any charge or liability on account thereof. This exception and reservation shall be a covenant and condition running with the title to the surface herein conveyed and shall be binding upon all successors, grantees and assigns of said property.

By the acceptance of this deed, the said party of the Second Part waives and releases the party of the First Part, its successors, grantees and assigns, or its predecessors in title, of any and all liability or responsibility whatever for any damages caused or to be caused or brought about by the past, present or future mining or mineral development operations of First Party, its successors, grantees and assigns, or its predecessors in title.

Further, some or all of the above described tract may have been mined by the strip and underground mining methods and the party of the Second Part, its successors, grantees and assigns, by the acceptance of this deed, does hereby release First Party from all rights of sublateral and subjacent support of the surface of the property conveyed and agrees to waive all rights to subsidence damages which might occur to the above described property howsoever caused or as a result of mining operations of First Party, its successors, grantees, lessees or assigns, and Second Party accepts this real estate "as is."

This conveyance is further subject to any and all instruments, including but not limited to, rights-of-ways and easements, recorded or unrecorded, which affect the title to said real estate conveyed.

As a material part of the consideration for this deed, it is agreed and understood that the above described property is to be used by the party of the Second Part in the establishment of the Nelson Creek Volunteer Fire Department and improvements may be constructed on the surface of the acreage conveyed to house equipment, supplies, personnel and fire fighting related materials. Second Party acknowledges that the surface acreage conveyed is in a low lying area between a company haulroad and the county road that passes by the Martwick Mine. Therefore, the said party of the Second Part, its successors and assigns, agrees to indemnify and save harmless the said party of the First Part, its successors and assigns, from any and all claims, demands, suits, awards, liability or judgments arising out of any acts or omissions which may create a common law nuisance, including, but not limited

to, dust, noise and/or traffic problems that may arise by reason of the location of the property in this area. This covenant shall be a condition running with the title to the surface conveyed herein and shall be binding upon all successors, grantees, lessees and assigns of the property.

REVERSION CLAUSE PROVISION

It is agreed and understood by and between the parties to this conveyance, and made a part of the consideration for this grant that the above described lot or parcel of land is to be used to establish and maintain a volunteer fire department at said location. In the event said real estate is not used or ceases to be used for said purpose, then, and in that event, said real estate and any and all improvements located thereon or thereto shall revert to said party of the First Part, its successors, grantees and assigns.

TO HAVE AND TO HOLD, the SURFACE ONLY of the above described property, together with any and all appurtenances thereunto belonging or appertaining thereto, unto the said party of the Second Part, its successors, grantees and assigns, forever, without warranty of Title.

IN TESTIMONY WHEREOF, the said party of the Second Part by acceptance of delivery of this deed, does hereby evidence its acceptance of the terms and provisions as contained herein and the said party of the First Part has caused this instrument to be executed, by its proper officers, all pursuant to the authority and direction of its Board of Directors, on the date first hereinabove written.

PEABODY DEVELOPMENT COMPANY

By: James W. Blackburn
(Name & Corporate Capacity)
JAMES W. BLACKBURN
PRESIDENT

(Corporate Seal)

ATTEST:

Edward L. Sullivan
(Name & Corporate Capacity)
Asst. Secretary
EDWARD L. SULLIVAN

ATTEST:

COUNTY OF MUHLENBERG,
a Body Politic of Kentucky.

BOOK 415 PAGE 609

Gaylan Spurlin
By: Gaylan Spurlin
Title: Muhlenberg County Clerk

Robert Draper
By: Robert Draper
Title: Judge Executive

STATE OF MISSOURI)
CITY OF ST. LOUIS)

On this 14th day of August, 1992, before me appeared James Blackburn and ED SULLIVAN to me personally known, who, being by me duly sworn, did say that they are the President and Assistant Secretary, respectively, of Peabody Development Company, and that the seal affixed to said DEED OF CONVEYANCE is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and said James Blackburn and ED SULLIVAN acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year last above written.

Carol M. Thomas
Notary Public

My Commission Expires:

CAROL M. THOMAS
NOTARY PUBLIC - STATE OF MISSOURI
ST. LOUIS COUNTY
MY COMMISSION EXPIRES JUNE 5, 1995

STATE OF KENTUCKY)
COUNTY OF MUHLENBERG)



On this 25th day of August, 1992, before me appeared Robert Draper and Gaylan Spurlin to me personally known, who, being by me duly sworn, did say that they are the Judge-Executive and Muhlenberg Co. Clerk, respectively, of the County of Muhlenberg, Kentucky, and that the seal affixed to said DEED OF CONVEYANCE is the corporate seal of said County, and that said instrument was signed and sealed in behalf of said County by authority of its governing board, and said Robert Draper and Gaylan Spurlin acknowledged said instrument to be the free act and deed of said County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year last above written.

Kim Spurlin D.C.
Notary Public

My Commission Expires:

1/24/94

CONSIDERATION CERTIFICATE IN
COMPLIANCE WITH KRS CHAPTER 382 (GIFT)

BOOK 415 PAGE 616

We, the undersigned parties to this conveyance, hereby certify that this conveyance is by gift from Grantor to Grantee and the estimated fair cash value of the property is \$1,000.00.

GRANTOR
PEABODY DEVELOPMENT COMPANY

GRANTEE
COUNTY OF MUHLENBERG

BY: James W. Blackburn
James Blackburn
President

BY: Robert Draper
Robert Draper
Judge-Executive

STATE OF MISSOURI
CITY OF ST. LOUIS

On this 14th day of August, 1992, before me appeared James Blackburn to me personally known, who, being by me duly sworn, did say that he is the President of Peabody Development Company, and that the foregoing CONSIDERATION CERTIFICATION was acknowledged and sworn to on behalf of said corporation by authority of its board of directors.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year last above written.

Carol M. Thomas
Notary Public

My Commission Expires:

CAROL M. THOMAS
NOTARY PUBLIC - STATE OF MISSOURI
ST. LOUIS COUNTY
STATE COMMISSION EXPIRES APRIL 5, 1995
COUNTY OF MUHLENBERG)



On this 25th day of August, 1992, before me appeared Robert Draper, who, being by me duly sworn, did state that he is the Judge-Executive of the County of Muhlenberg, Kentucky, and that the foregoing CONSIDERATION CERTIFICATE was signed on behalf of said County by authority of its governing board, and said Robert Draper acknowledged said act to be the free act and deed of said County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year last above written.

Kenn Spurlin D.C.
Notary Public

My Commission Expires:

11/24/94

PREPARED BY:
William E. Payton
William E. Payton
JARVIS, PAYTON & KINNEY
P.O. Box 569
Greenville, KY - 42345-

State of Kentucky, SCT
Muhlenberg County
I Gaylan L. Spurlin, Clerk of Muhlenberg County, certify that the foregoing Deed was legally lodged in my office for record 8-25-92 1:00 and the same, the foregoing. And this certificate have been duly recorded therein.

Given under my hand this the 26 day of Aug 19 92

Clerk Gaylan Spurlin
Kathy Saddle D.C.

00:14 9285

DEED

THIS ROAD RIGHT OF WAY DEED, made and entered into on this the 20th day of July, 1987, by and between PEABODY COAL COMPANY, a Delaware corporation, authorized to transact and conduct business in the Commonwealth of Kentucky, with offices at 1951 Barrett Court, P. O. Box 1990, Henderson, Henderson County, Kentucky 42420, party of the First Part, and MUHLENBERG COUNTY, KENTUCKY, a body politic, party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the premises and for no cash consideration paid, the said party of the First Part has bargained and sold and does by these presents bargain, sell, alien, quitclaim and convey unto the said party of the Second Part, its successors, grantees and assigns, the SURFACE ONLY of the following road easement and right of way described as follows:

A right of way for a road in the Martwick area of Muhlenberg County, Kentucky, and being a strip of SURFACE 60 feet in width and described as follows:

Beginning at a iron pin in the north right of way of United States Highway 62, point being 33.8 feet to centerline of said Highway, 359.0 feet to southeast corner of bridge crossing Illinois Central Gulf Railroad and approximately 1.1 miles southwest of Rockport Bridge over Green River; running thence N 45° 36' 58" W 263.06 feet to a iron pin; thence N 44° 44' 35" W 315.37 feet to a iron pin; thence S 61° 56' 40" W 395.47 feet to a iron pin; thence S 37° 54' 08" W 555.09 feet to a iron pin; thence S 39° 32' 10" W 163.38 feet to a iron pin 30 feet from centerline of county road and 193.0 feet north of centerline of railroad; thence with the right of way of county road N 07° 22' 26" W 85.71 feet to a iron pin; thence leaving said right of way N 40° 58' 18" E 100.66 feet to a iron pin; thence N 37° 58' 53" E 567.11 feet to a iron pin; thence N 61° 41' 57" E 413.42 feet to a iron pin; thence S 78° 00' 11" E 81.79 feet to a iron pin; thence S 44° 04' 10" E 304.80 feet to a iron pin; thence S 45° 48' 58" E 248.22 feet to a iron pin in the right of way of United States Highway 62; thence with the right of way of said road S 32° 40' 50" W 62.97 feet to the point of beginning containing 2.355 acres.

(The beginning point has a Peabody coordinate value of 38649 North and 29172 East).

Being a part of the same surface acquired as follows: (1) deed dated June 19, 1971, from Julius Edwards and wife, Thelma Edwards, to Peabody Coal Company, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 283, page 239 (016-680 property) and (2) a part of Parcel 38 of Tract 15 of the Martwick property conveyed to W. A. Wickliffe Coal Company by Greenville Coal Company, by deed dated November 14, 1947, of record in the office of the said Clerk in Deed Book 164, page 199; on December 20, 1952, Deed Book 192, page 385, W. A. Wickliffe Coal Company conveyed said property to Homestead Coal Company (3/4 interest) and Sinclair Coal Company (1/4 interest); on December 31, 1954, Sinclair Coal Company conveyed to Homestead Coal Company its undivided 1/4 interest in said property by deed of record in said Clerk's office in Deed Book 164, page 199; Homestead Coal Company was merged into and with Sentry Royalty Company on December 26, 1957, Deed Book 214, page 207-A; Sentry Royalty Company was merged into and with Peabody Coal Company, an Illinois corporation, on September 1, 1967, Articles of Incorporation Book 5, page 593; on March 29, 1968, Deed Book 264, page 1, Peabody Coal Company, an Illinois corporation, conveyed to Peabody Coal Company, a Delaware corporation, said property and being a part of Items 1 and 2, File No. 16-34 on Exhibit A, Division VII, Commonwealth of Kentucky, Subdivision 7.07, Muhlenberg County, in said conveyance.

Said party of the Second Part shall take hereunder a perpetual right to maintain, replace and repair a road or highway on the above described easement; in the event Second Party shall ever fail or cease to maintain a road or highway on the above described easement, then party of the First Part may elect to reenter the above described easement after giving prior notice to party of the Second Part, in which case the rights granted hereunder shall terminate and cease and the property over which said easement runs shall hereafter revert to the First Part, its successors and assigns and shall no longer be burdened by virtue of this right of way or easement granted herein.

Said party of the First Part, for itself, its successors, grantees and assigns, specifically excepts, reserves and retains all coal, oil, gas and all other minerals of every nature and kind contained in and underlying the surface of the above described property, together with the full, free and unrestricted right and privilege to mine and remove said minerals underlying the surface herein conveyed, without liability for any damages of every kind, character or nature, howsoever caused, that may arise or result to the surface of said land or any improvements thereon by reason of said mining and removal of coal, oil, gas and all other minerals and the said party of the First part, its successors, grantees and assigns, excepts, reserves and shall have and retain the rights of ingress and egress to and from said land

for mining purposes, together with the unlimited right to use underground passages which may be made and constructed under said land for the transportation of coal, oil, gas and all other minerals or other substances and machinery, repairs and supplies to or from adjoining or other lands to or from which the First Party, its successors, grantees and assigns, may desire to transport the same, without any charge or liability on account thereof. This exception and reservation shall be a covenant and condition running with the title to the surface herein conveyed and shall be binding upon all successors, grantees and assigns of said property.

This conveyance is subject to any and all easements of record in the office of the Muhlenberg County Court Clerk and those visible and existing on the premises.

By the acceptance of this deed, the said party of the Second Part waives and releases the party of the First Part, its successors, grantees and assigns, or its predecessors in title, of any and all liability or responsibility whatever for any damages caused or to be caused or brought about by the past, present or future mining operations of First Party, its successors, grantees and assigns, or its predecessors in title.

TO HAVE AND TO HOLD, the SURFACE ONLY of the above described property for the use as a road or highway right of way grant or easement, subject to the exceptions, reservations and conditions hereinabove set forth, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said party of the Second Part, its successors, grantees and assigns, without warranty of title.

IN TESTIMONY WHEREOF, the said party of the First Part has hereunto caused this instrument to be executed, by its proper officers, all pursuant to the authority and direction of its Board of Directors, on this the date first hereinabove written.

PEABODY COAL COMPANY

By: H.W. Williams APPROVED-LEGAL
(Name & Corporate Capacity) BY KPT 7-7-87

(Corporate Seal)

ATTEST:

Jeff Kline, SECRETARY
(Name & Corporate Capacity)

THIS INSTRUMENT
PREPARED

BY William E. Payton

WILLIAM E. PAYTON
ATTORNEY AT LAW
GREENVILLE, KY. 42345

STATE OF KENTUCKY, SS:
COUNTY OF HENDERSON,

The foregoing SURFACE RIGHT OF WAY GRANT was acknowl-
edged before me on this the 20th day of July, 1987, by
H.W. Williams and Jeffery Kline, the
President and Secretary, respectively,
of Peabody Coal Company, a Delaware corporation, for and on
behalf of said corporation.

Mildred Sue Conroy
Notary Public

My commission expires: April 9, 1990

(Seal)

THIS QUITCLAIM DEED OF CONVEYANCE, made and entered into this the 8 day of ~~February~~^{JUNE}, 1987, by and between PEABODY COAL COMPANY ("Seller"), a Delaware corporation, with offices at 1951 Barrett Court, P. O. Box 1990, Henderson, Kentucky 42420, party of the First Part, and JOHN STOVALL and his wife, JOANNE H. STOVALL, and the survivor, of Greenville, Muhlenberg County, Kentucky ("Buyer"), parties of the Second Part,

W I T N E S S E T H :

That for and in consideration of the sum of TEN (\$10.00) DOLLARS and other consideration, paid by the said parties of the Second Part to the said party of the First Part, the receipt of which is hereby acknowledged, the said party of the First Part has bargained and sold and does by these presents bargain, sell, alien, quitclaim and convey unto the said parties of the Second Part, and in the event of the death of one, then to the survivor of them, their heirs, grantees and assigns, all of the right, title and interest of party of the First Part in and to the SURFACE ONLY of that certain lot or parcel of land situated and located in Muhlenberg County, Kentucky, and described as follows:

Beginning at a corner right-of-way fence post, said post located on the West right-of-way line of the Greenville - Central City Bypass and being the intersection of aforesaid right-of-way line and the South property line of a tract of land owned by A. D. Heltsley (deceased) and Birdie E. Heltsley (widow).

Beginning at a round steel post in the right-of-way fence and along aforesaid right-of-way South 16 deg 04 min 18 sec West 333.04 feet to a round steel post in the right-of-way fence; thence South 22 deg 15 min 04 sec West 250.65 feet along right-of-way fence to a round steel post in the right-of-way fence; thence South 17 deg 36 min 22 sec West 219.28 feet along right-of-way fence to a round steel post in the right-of-way fence; thence South 19 deg 10 min 34 sec West 60.32 feet to a round steel post in the right-of-way fence; thence South 22 deg 36 min 09 sec West 620.58 feet along the right-of-way fence to a round steel post in the right-of-way fence; thence South 12 deg 58 min 18 sec West 243.46 feet along the right-of-way fence to a steel post; thence

X16-034

EXHIBIT A

Description of a survey of a portion of the property of Peabody Coal Company located on the East side of Kentucky 277 near the City of Central City.

Beginning at an iron pin (set) in the east right of way of Kentucky 277, being thirty (30) feet east of the centerline thereof and also being thirty (30) feet south of the south edge of the driving surface of a private haul road of Peabody Coal Company, said beginning point being a new division corner within the property conveyed to Sentry Royalty Company by Roxie P. Gish et.al. on September 8, 1956, and of record in Deed Book 199, Page 51, of the Muhlenberg County Clerk's Office; thence with a new division line parallel with said haul road South 83-42-35 East 435.37 feet to an iron pin (set); thence with another division line parallel with said haul road North 86-11-18 East 1205.44 feet to an iron pin (set), said pin being a new division corner within the property conveyed to Homestead Coal Company by Ayrshire Collieries Corp. on August 1, 1955, and of record in Deed Book 194, Page 59, of the Muhlenberg County Clerk's Office; thence leaving the haul road and with new division lines South 00-22-07 East 984.79 feet to an iron pin (set), said pin being within the property conveyed to Sentry Royalty Company by Roxie P. Gish et.al. in Deed Book 199, Page 51; South 13-44-43 West 2782.79 feet to an iron pin (set) in the original Southeast line of said tract recorded at Deed Book 199, Page 51; South 46-10-19 West 1668.07 feet to an iron pin (set) in the line of E.M. Gish Jr.; thence North 29-55-31 West 1428.80 feet with the line of Gish and later with the line of Eddia Reed to an existing 2" iron pipe, corner to Reed and Gish, said line being the original southwest line of said tract conveyed to Sentry Royalty Company in Deed Book 199, Page 51; thence with the lines of the property conveyed to Central Land Company by Peabody Coal Company on May 28, 1985, and of record in Deed Book 402, Page 476, and now owned by E.M. Gish Jr. North 67-29-54 East 1101.12 feet to a stake, North 39-01-58 East 214.90 feet to a stake, North 38-59-02 West 213.80 feet to a stake, North 57-26-02 West 138.10 feet to a stake, North 85-40-02 West 320.10 feet to a stake, North 46-21-02 West 225.20 feet to a stake, North 00-01-58 East 488.30 feet to a stake, North 32-42-02 West 553.26 feet to a stake in the east right of way of Kentucky 277, being 35 feet from the centerline thereof, thence North 26-59-47 East 103.52 feet with said right of way to a stake, thence North 63-00-13 West 5.00 feet with said right of way to a stake; thence North 26-59-47 East 1700.68 feet with said right of way to the beginning, containing 175.91 acres pursuant to an August 27, 1990, survey by William C. Hill, L.S. 2102.

A part of the above described property was conveyed to Peabody Coal Company by the following deeds.

1. Ayrshire Colliers Corp. to Homestead Coal Company (Peabody Coal Company) by deed dated August 1, 1955, and recorded in Deed Book 194, page 59, in the Muhlenberg County Court Clerk's Office. 016-213
2. E. N. Gish, Jr., et al. to Sentry Royalty Co. (Peabody Coal Company) by deed dated September 8, 1956, recorded in Deed Book 199, page 51, in the Muhlenberg County Court Clerk's Office. 025-226

South 22 deg 41 min 42 sec West 153.92 feet along the right-of-way fence to a round steel post in the right-of-way fence; thence South 43 deg 35 min 37 sec West 12.54 feet along the right-of-way fence to an iron pin in the right-of-way fence; thence North 81 deg 07 min 08 sec West 633.20 feet to a roof bolt; thence North 04 deg 32 min 02 sec West 502.37 feet to a 2-1/2 inch iron pipe; thence North 51 deg 32 min 04 sec East 350.89 feet to a roof bolt; thence North 16 deg 41 min 12 sec East 575.18 feet to a 2-1/2 inch iron pipe; thence South 55 deg 10 min 23 sec East 156.32 feet to an iron pin; thence North 18 deg 29 min 47 sec East 421.83 feet to a steel post in the fence line; thence with this fence line South 80 deg 50 min 35 sec East 279.06 feet to an 8-inch aluminum casing with an iron pin in the center; thence North 18 deg 25 min 15 sec East 199.86 feet to a 1-inch solid steel rod; thence South 80 deg 14 min 46 sec East 262.86 feet to the beginning, a round steel post in the right-of-way fence of the Greenville Bypass, and containing 27.065 acres, according to survey of Mark E. Keller, R.L.S. No. 2723, of July 17, 1986, as shown and depicted by that map or plat appended hereto as an exhibit, excepting therefrom the coal and any other minerals owned by Seller, along with the right to mine, remove and sell same by underground methods.

Being a part of the same property conveyed to Greenville Coal Company, by James W. Oates, Master Commissioner, Muhlenberg Circuit Court, by Deed dated April 22, 1904, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 57, page 35. On November 14, 1947, recorded in the office of the said Clerk in Deed Book 164, page 199, Greenville Coal Company conveyed to W. A. Wickliffe Coal Company the subject property and being TRACT 15 of the "POWDERLY PROPERTY" in said Deed. On December 20, 1952, recorded in the office of the said Clerk in Deed Book 192, page 385, W. A. Wickliffe Coal Company conveyed to Homestead Coal Company (an undivided 3/4 interest) and Sinclair Coal Company (an undivided 1/4 interest) in said land and being referred to in the "SECOND" parcel of this Deed. On December 31, 1954, recorded in the office of the said Clerk in Deed Book 192, page 417, Sinclair Coal Company conveyed to Homestead Coal Company its undivided 1/4 interest in said property and being referred to in this Deed in the "SECOND" parcel. On December 18, 1957, Homestead Coal Company was merged into and with Sentry Royalty Company as shown by Merger Agreement recorded in the office of the said Clerk in Deed Book 214, page 207-A. On September 1, 1967, Sentry Royalty Company was merged into and with Peabody Coal Company, an Illinois corporation, as shown by Articles of Merger recorded in the office of the said Clerk in Articles of Incorporation Book 5, page 593. On March 29, 1968, recorded in the office of the said Clerk in Deed Book 264, page 1, Peabody Coal Company, an Illinois corporation, conveyed to Peabody

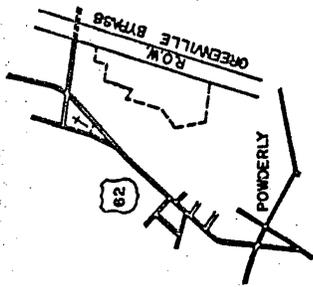
Coal Company, a Delaware corporation, the subject property designated in this conveyance as Items Nos. 1 and 2, File No. 16-34 on Exhibit A, Division VII, Commonwealth of Kentucky, Subdivision 7.07, Muhlenberg County.

It is understood by each of the parties hereto that a significant portion of the properties to be conveyed pursuant to this Deed has been strip mined by predecessors in title of Seller. Buyer specifically hereby confirms such understanding and agrees to accept the premises "as is". Buyer does hereby waive any claim of loss or damages, whether substantial or insubstantial, from subsidence, erosion, mud slides, copperas water damage or from any other source which has arisen or may arise from or by virtue of the referenced strip mining operations on a portion of the properties subject to this Deed.

As an additional consideration for this conveyance, Buyer, for himself, his heirs and assigns, forever waives, releases and surrenders unto Seller any and all claims for injury or damage to said Property, and to all persons, crops, property or livestock thereon, including, but not limited to, that caused by surface subsidence, due to or resulting from any previous mining and from any future operations of Seller, its lessees, successors or assigns, in blasting, mining, removing, producing, processing, handling and transporting coal, oil, gas or other minerals and products, and from water runoff from properties owned or operated by Seller or its affiliated companies, or in the exercise of any rights and privileges of Seller. The foregoing covenants shall run with the land and be binding on the heirs, successors and assigns of the Buyer.

TO HAVE AND TO HOLD, the SURFACE ONLY of the above-described property, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said parties of the Second Part, and in the event of the death of one, then to the survivor of them, their heirs, grantees and assigns, all of the

Vicinity Map
NO SCALE



LEGEND

- IRON PIN SET
- IRON PIN FOUND
- ⊙ IRON PIPE FOUND
- * FENCE POST
- BOUNDARY LINE

Surveyor's Certificate

I DO HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS PERFORMED UNDER DIRECTION, BY THE METHOD OF RANDOM TRAVERSE, THE UNADJUSTED MATHEMATICAL ERROR OF CLOSURE RATIO OF THE RANDOM TRAVERSE WAS 1:5,000, AND THAT BEARINGS AND DISTANCES SHOWN HEREON HAVE BEEN ADJUSTED FOR CLOSURE. THE BEARINGS SHOWN HEREON ARE BASED ON MAGNETIC NORTH TAKEN IN THE FIELD ALONG A RANDOM TRAVERSE LINE.

Mark E. Keller 2783
LICENSED REG. LAND SURVEYOR NO. 1

Owner's Certificate

I DO HEREBY CERTIFY THAT I AM THE OWNER OF RECORD OF THE PROPERTY SHOWN HEREON AS RECORDED IN D.B. # _____ IN THE MELENBERG COUNTY CLERK'S OFFICE, AND DO HEREBY ADOPT THIS SURVEY.

98831

66

PEABODY COAL COMPANY

PROPERTY

GREENVILLE BYPASS POWDERLY, KENT

PEABODY COAL COMPANY
KENTUCKY DIVISION ENGINEERING DEPARTMENT
BOX 545 GREENVILLE, KENTUCKY

Drawn By: M.F. ASHBY Date: _____

Checked By: _____ Scale: 1" = 40'

DRAWING NO. _____

GRAPHIC SCALE

GRAPHIC SCALE

A.D. HELTSLEY (DECEASED)
BIRDIE E. HELTSLEY (WIDOW)

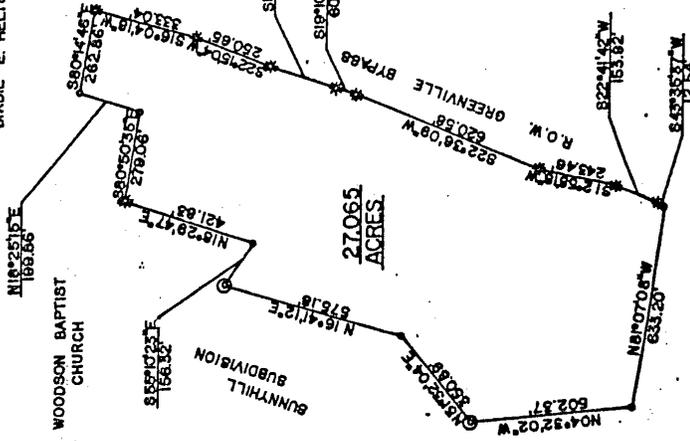
WOODSON BAPTIST CHURCH

SUNNYHILL SUBDIVISION

27.065 ACRES

KIRKPATRICK COAL CO.

MAGNETIC



right, title and interest of party of the First Part in and to the above-described lot or parcel of land, forever, WITHOUT WARRANTY of Title.

IN TESTIMONY WHEREOF, the said party of the First Part has hereunto caused this instrument to be executed by its proper officers, all pursuant to authority and direction of its Board of Directors, on the day and year first hereinabove written.

PEABODY COAL COMPANY

By: H. W. Williams APPROVED - LEGAL
(name & corporate capacity) BY ENT-6-8-87

ATTEST:

J. H. Kluge
Secretary

STATE OF KENTUCKY,

SS:

COUNTY OF HENDERSON,

The foregoing Deed of Conveyance was signed and acknowledged before me on this the 8 day of February, 1987, by P. W. Wilson and attested by J. H. Kluge, the President and Secretary, respectively, of Peabody Coal Company, a Delaware corporation, for and on behalf of said corporation.

Judy C. Jerome
Notary Public

My commission expires: 7/9/89

THIS INSTRUMENT
PREPARED

BY Rees Kinney
REES KINNEY
ATTORNEY AT LAW
GREENVILLE, KY. 42345

4-24

1.2.1

OUT OF #16-034

016-735

J. C. TURNER

ENGINEERING

THIS DEED OF CONVEYANCE, made and entered into on this the 20th day of FEBRUARY, 1985, by and between PEABODY COAL COMPANY, a Delaware corporation, with offices and chief place of business at 220 North 4th Street, Post Office Box 235, St. Louis, St. Louis County, Missouri 63166, party of the First Part, and CLARENCE STONE and wife, JEAN STONE, or the survivor, of Rural Route #2 - Box 58, Central City, Muhlenberg County, Kentucky 42330, parties of the Second Part,

W I T N E S S E T H:

That for and in consideration of the premises and pursuant to the agreements contained in an Indenture between said parties, the receipt and sufficiency of such considerations being hereby acknowledged by the parties of the Second Part, the said party of the First Part has bargained and sold and does by these presents bargain, sell, alien and convey unto the said parties of the Second Part, and at the death of one, then to the survivor of them, their heirs, grantees and assigns, the SURFACE ONLY of the following tract or parcel of land located in Muhlenberg County, Kentucky, and described as follows:

See the attached EXHIBIT "1" for the metes and bounds description, title reference, terms, conditions and provisions with respect to the real estate conveyed herein; said exhibit is hereby referred to and incorporated herein by reference for any and all purposes whatsoever.

TO HAVE AND TO HOLD, the SURFACE ONLY of the above referred to and hereinafter described property, together with any and all appurtenances thereunto belonging or appertaining thereto, unto the said parties of the Second Part, and at the death of one, then to the survivor of them, their heirs, grantees and assigns, forever, with Covenant of Special Warranty of Title.

IN TESTIMONY WHEREOF, the said party of the First Part has caused this instrument to be executed, by its proper officers, all pursuant to the authority and direction of its Board of Directors, on this the date first hereinabove written.

<i>DEED OUT</i>	
FIELD OFFICE	<i>EJW 1-14-85</i>
ST. LOUIS OFFICE	<i>DKF 1-24-85</i>
TRACING	<i>DKF 1-24-85</i>

PEABODY COAL COMPANY

By: Wayne T. Ewing
(Name & Corporate Capacity)
WAYNE T. EWING - PRESIDENT

(Corporate Seal)

ATTEST:

J. M. Tonkhill
(Name & Corporate Capacity)
J. M. TONKHILL - ASSISTANT SECRETARY

William E. Papp

STATE OF MISSOURI, SS:
City of ST. LOUIS,
COUNTY OF ST. LOUIS,

The foregoing DEED OF CONVEYANCE was acknowledged before me on this the 20th day of FEBRUARY, 1985, by WAYNE T. EWING and J. M. TONKHILL, the PRESIDENT and ASSISTANT SECRETARY, respectively, of Peabody Coal Company, a Delaware corporation, on behalf of said corporation.

Fern J. Biggs
Notary Public
FERN J. BIGGS

My commission expires: 11/14/88
MY COMMISSION EXPIRES 11/14/88
ST. LOUIS COUNTY

(Seal)

EXHIBIT "1" TO CONVEYANCE FROM PEABODY COAL COMPANY TO
CLARENCE STONE AND WIFE, JEAN STONE, OR SURVIVOR

TRACT #7 ("HOUSE LOT")

A certain tract of ground located in Muhlenberg County, Kentucky, on the West side of Highway 1379 2,000 feet North of the intersection with U. S. Highway 62 and described as follows:

Beginning at an iron pin in Highway 1379 West right of way line, 35 feet from the highway centerline. The beginning corner being a common corner with Bessie Goff and having Peabody Gibraltar Mine Coordinates of North 36,670.59 and East 18,329.15. From the beginning thence N 83° 06' 08" W - 244.47 feet with an existing fence line, a common line with Bessie Goff, to an iron pin by a corner post; thence with a new line N 21° 38' 38" E - 160.21 feet to an iron pin in the center of a small ditch, a new corner; thence with a new line N 43° 17' 56" E - 246.76 feet to an iron pin by a 6" black oak; a new corner; thence S 59° 23' 53" E - 246.35 feet to an iron pin in the West right of way line of Highway 1379, a new corner; thence with the right of way line S 43° 55' 02" W - 207.30 feet to an iron pin 35 feet from the center line of the highway; thence continuing with the right of way line S 32° 56' 50" W - 99.05 feet to the beginning, containing 1.96 acres.

The above described 1.96 acres of surface is in the southeast corner of a parcel containing 106.98 acres, more or less, conveyed to W. A. Wickliffe Coal Company, by Greenville Coal Company, by deed dated November 14, 1947, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 164, Page 199, being the 19th parcel of TRACT 15 of the MARTWICK PROPERTY in this conveyance; on December 20, 1952, recorded in the office of the said Clerk in Deed Book 192, page 385, W. A. Wickliffe Coal Company conveyed to Homestead Coal Company and Sinclair Coal Company (an undivided 3/4 interest and 1/4 interest respectively) the subject property and being referred to in the SECOND parcel in this conveyance. On December 31, 1954, recorded in Deed Book 192, page 417, Sinclair Coal Company conveyed to Homestead Coal Company the undivided 1/4 interest in said property being the SECOND parcel in this deed. Homestead Coal Company was merged into and with Sentry Royalty Company, see Articles of Incorporation Book 4, page 331. Sentry Royalty Company was merged into and with Peabody Coal Company, an Illinois corporation, see Articles of Incorporation Book 5, page 593. By deed dated March 29, 1968, recorded in Deed Book 264, page 1, Peabody Coal Company, an Illinois corporation,

conveyed to Peabody Coal Company, a Delaware corporation, said property being a part of Items 1 and 2, File No. 016-34 on Exhibit A, Division VII, Commonwealth of Kentucky, Subdivision 7.07, Muhlenberg County, in this conveyance.

Peabody Coal Company excepts, reserves and retains unto itself, its successors, grantees and assigns, all coal, oil, gas and all other minerals of every kind and character in, to and underlying the above described property with the right to mine and remove the said minerals without liability, howsoever created, caused or resulting to the surface of said real estate or any improvements, person or thing now thereon or hereinafter placed or located thereon.

This conveyance is made subject to any and all recorded or unrecorded instruments affecting the title to the above described real estate.

1.2.1

THIS DEED OF CONVEYANCE, made and entered into this the 30th day of December, 1985, by and between PEABODY COAL COMPANY, a Delaware corporation authorized to do business in the Commonwealth of Kentucky, with its chief place of business at 220 North Fourth Street, P. O. Box 235, St. Louis, Missouri 63166, party of the First Part, and HAROLD DEAN FRAZE and his wife, JEWELL DEAN FRAZE, and the survivor of them, of Route #2, Central City, Muhlenberg County, Kentucky, parties of the Second Part,

W I T N E S S E T H :

That for and in consideration of an exchange of property as evidenced by Deed from parties of the Second Part to party of the First Part, such Deed being of record in the office of the Muhlenberg County Court Clerk in Deed Book _____, page _____, the receipt and sufficiency of such consideration being hereby acknowledged, the party of the First Part has bargained and sold and does by these presents hereby bargain, sell, alien, grant and convey unto the parties of the Second Part, and in the event of the death of one then to the survivor of them, their heirs and assigns, the SURFACE ONLY of the following tract or parcel of land situated and located in Muhlenberg County, Kentucky, and bounded and described as follows:

Beginning at an iron pin on the west right of way of Kentucky 1379 one-half mile from Nelson in Muhlenberg County, Kentucky, and referenced N 27° 13' 56" W 61.65 feet from Peabody Coal Company Station MW23; thence N 85° 35' 33" W 429.08 feet to another iron pin, this survey; thence S 4° 24' 27" W 430.00 feet to another iron pin, this survey; thence S 85° 35' 33" E 429.08 feet to another iron pin, this survey, in the right of way of said highway; thence with said right of way to the beginning and containing 4 acres, as per map or plat prepared by B. Nance, dated November 8, 1985, and appended hereto as an exhibit.

First Party, for itself and its successors, grantees and assigns, specifically excepts, reserves and retains all coal, oil, gas and all other minerals of every kind and nature whatsoever contained in and underlying the surface of the above-described tract or parcel of land, together with the full, free and unrestricted right and privilege to mine and

remove same from underneath the surface herein sold and conveyed without liability for any damages of any kind, quality or nature whatsoever, howsoever caused or created, that may arise or result to the surface of said land or any improvements thereon by reason of said mining and removal of said coal, oil, gas and other minerals, and First Party, its successors, grantees and assigns hereby reserve and retain the right of ingress and egress to and from said land for mining purposes, together with the unlimited right to use underground passages which may be made and constructed under said land for the transportation of coal, oil, gas and other minerals, or other substances and machinery, repairs and supplies to or from adjoining or other lands to or from which the First Party, its successors, grantees or assigns may desire to transport the same, without any charge or liability on account thereof. This exception and reservation shall be a covenant and condition running with the title to the surface herein conveyed and shall be binding upon all successors, grantees and assigns of said surface estate.

This being a part of Tract 15, Parcel 9 and Parcel 19, as conveyed to W. A. Wickliffe Coal Company by Greenville Coal Company by Deed dated November 14, 1947, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 164, page 199, and being a part of that same property conveyed to Peabody Coal Company, a Delaware corporation, by Peabody Coal Company, an Illinois corporation, by Deed dated March 29, 1968, and being designated therein as Item 1, File No. 16-34 of Article VII, Muhlenberg County Properties, such Deed being now of record in the office of the Muhlenberg County Court Clerk in Deed Book 264, page 1.

TO HAVE AND TO HOLD, the SURFACE ONLY of the above-described tract or parcel of land, together with any and all appurtenances thereunto belonging or in anywise appertaining, unto the parties of the Second Part, and in the event of the death of one then to the survivor of them, their heirs, grantees and assigns, forever, with Covenant of SPECIAL WARRANTY of Title.

IN WITNESS WHEREOF, the party of the First Part has caused this instrument to be executed by its proper and duly authorized officers, all pursuant to the authority and direction of its Board of Directors on this the day and date first hereinabove written.

PEABODY COAL COMPANY

By: George S. Shiflett
(Name & Corporate Capacity) *g.s.*
GEORGE S. SHIFLETT
VICE PRESIDENT

ATTEST:

J.M. Touhill
Name & Corporate Capacity
J.M. TOUHILL
SECRETARY

STATE OF MISSOURI, SS:
CITY OF ST. LOUIS,

The foregoing Deed of Conveyance was signed and acknowledged before me on this the 30TH day of DECEMBER, 1985, by GEORGE S. SHIFLETT and attested by J. M. TOUHILL, VICE-PRESIDENT and SECRETARY, respectively, of Peabody Coal Company, a Delaware corporation, for and on behalf of said corporation.

David H. McMullen
Notary Public

My commission expires:

7/15/88

THIS INSTRUMENT
PREPARED

DAVID H. McMULLEN
NOTARY PUBLIC STATE OF MISSOURI
MY COM. EXPIRES 7/15/88
ST. LOUIS COUNTY

BY.....
REES KINNEY
ATTORNEY AT LAW
GREENVILLE, KY. 42345

J. C. TURNER

**ST. LOUIS
ENGINEERING**

OUT OF X16-034

THIS STREET RIGHT OF WAY, made and entered into on this the 4th day of March, 1986, by and between PEABODY COAL COMPANY, a Delaware corporation, with offices and chief place of business at 220 North Fourth Street (Post Office Box 235), St. Louis, St. Louis County, Missouri 63166, party of the First Part, and MUHLENBERG COUNTY, KENTUCKY, a body politic, party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the premises and for no cash consideration paid, the said party of the First Part has bargained and sold and does by these presents bargain, sell, alien and convey unto the said party of the Second Part, its successors, grantees and assigns, the SURFACE ONLY of the following street easements and rights of way in the Sunnyhill Subdivision near Powderly, Muhlenberg County, Kentucky, and described as follows:

STREET #1: Beginning at a stake in the southeast right of way line of U. S. Highway #62 and southwest corner of Lot #1 in the Sunnyhill Subdivision and running thence with the south line of Lots #1 and #2 in the Sunnyhill Subdivision and the south line of the 1.35 acre lot conveyed to Trustees of Woodson Baptist Church as Overseers of the Coleman Cemetery S 59-06 E 708.52 feet to a stake, the southeast corner of the 1.35 acres; thence S 14-33 W 52.6 feet, more or less to a stake; thence N 59-06 W 739.62 feet, more or less, with the north lines of Lots #6, #5, #4, #3, the alley and the extension of the street to the 1.35 acres to a stake in the southeast right of way line of U. S. Highway #62 and the northwest corner of Lot #3 in the Sunnyhill Subdivision; thence with the right of way line of said highway N 49-10 E 52.6 feet to the point of beginning.

0.87 ac.

STREET #2: Beginning at a stake at the southeast corner of Lot #8 in the Sunnyhill Subdivision and running thence with the east line of Lots #8 and #4, N 49-10 E 423.4 feet to a stake, the northeast corner of Lot #4 at the intersection of a street; thence with the south right of way line of said street S 59-06 E 52.6 feet to a stake, the northwest corner of Lot #5; thence with the west line of Lots #5 and #9, S 49-10 W 423.4 feet to a stake, the southwest corner of Lot #9 at the intersection of a street; thence with the north right of way line of said street N 59-06 W 52.6 feet to the point of beginning.

0.51 ac.

<i>R.O.W.</i>	
FIELD OFFICE	<i>E.J.W. 28NR86</i>
ST. LOUIS OFFICE	<i>D.K.F. 5.1.86</i>
TRACING	<i>D.K.F. 5.1.86</i>

J.M.R.

STREET #3: Beginning at a stake in the southeast right of way line of U. S. Highway #62 and the southwest corner of Lot #7 in the Sunnyhill Subdivision and running thence with the south line of Lot #7, S 41-43 E 74.2 feet to a stake; thence continuing with the south line of Lot #7, S 59-06 E 51.9 feet to a stake, the southwest corner of Lot #8; thence with the south line of Lots #8, 9, and 6 and the south line of a street and an alley S 59-06 E 703.80 feet to a stake, the southeast corner of Lot #6; thence S 14-33 W 52.1 feet to a stake, the northeast corner of a reservation for a future fifty foot street; thence with the north right of way line of said future street and the north lines of Lot #12, an alley, Lot #11, a street and Lot #10, N 59-06 W 820.30 feet to a stake, northeast corner of Tract #2 as shown on the subdivision plat; thence with the north line of Tract #2, N 43-12 W 90.0 feet to a stake in the right of way line of said highway; thence with the right of way line of said highway N 49-10 E 50.1 feet to the point of beginning.

1.00 ac

A plat of the Sunnyhill Subdivision is recorded in the office of the Muhlenberg County Court Clerk in Deed Book 241, page 1 and said plat is hereby referred to and made a part hereof for any and all purposes whatsoever.

2.38 ac

Being a part of the same property conveyed to the W. A. Wickliffe Coal Company by Greenville Coal Company by deed dated November 14, 1947, and recorded in the office of the Muhlenberg County Court Clerk in Deed Book 164, page 199; and, being a part of the same property conveyed unto Sinclair Coal Company and Homestead Coal Company by the W. A. Wickliffe Coal Company by deed dated December 20, 1952, and of record in the office of the said Clerk in Deed Book 192, page 385; and, being a part of the same property conveyed unto Homestead Coal Company, by Sinclair Coal Company, by deed dated December 31, 1954, and of record in the office of the said Clerk in Deed Book 192, page 417; Sentry Royalty Company acquired title to the above described property by virtue of merger of Homestead Coal Company into Sentry Royalty Company as shown by Articles of Incorporation and merger recorded in the office of the said Clerk in Deed Book 214, page 207A; subsequently, Sentry Royalty Company, was merged into and with Peabody Coal Company, an Illinois corporation, by agreement of merger dated September 1, 1967, recorded in the office of the said Clerk in Articles of Incorporation Book 5, page 593; Peabody Coal Company, an Illinois corporation, conveyed to Peabody Coal Company, a Delaware corporation, recorded in the office of the said Clerk in Deed Book 264, page 1, said property under Item No. 1 and Item No. 2, File No. 16-34 on Exhibit A, Division VII, Commonwealth of Kentucky, Subdivision 7.07, Muhlenberg County, in said conveyance.

Said party of the Second Part shall take hereunder a perpetual right to maintain, replace and repair the street on the surface of the above described easement property.

Said party of the First Part, for itself, its successors, grantees and assigns, specifically excepts, reserves and retains all coal, oil, gas and all other minerals of every nature and kind contained in and underlying the surface of the above described property, together with the full, free and unrestricted right and privilege to mine and remove said minerals underlying the surface herein conveyed, without liability for any damages of every kind, character or nature, howsoever caused, that may arise or result to the surface of said land or any improvements thereon by reason of said mining and removal of coal, oil, gas and all other minerals and the said party of the First Part, its successors, grantees and assigns, excepts, reserves and shall have and retain the rights of ingress and egress to and from said land for mining purposes, together with the unlimited right to use underground passages which may be made and constructed under said land for the transportation of coal, oil, gas and all other minerals or other substances and machinery, repairs and supplies to or from adjoining or other lands to or from which the First Party, its successors, grantees and assigns, may desire to transport the same, without any charge or liability on account thereof. This exception and reservation shall be a covenant and condition running with the title to the surface herein conveyed and shall be binding upon all successors, grantees and assigns of said property.

By the acceptance and recording of this deed, the said party of the Second Part waives and releases the party of the First Part, its successors, grantees and assigns, or its predecessors in title, of any and all liability or responsibility whatever for any damages caused or to be caused or brought about by the past, present or future mining operations of First Party, its successors, grantees and assigns, or its predecessors in title.

TO HAVE AND TO HOLD, the SURFACE ONLY of the above described property for the use as road or street right of way grants or easements, subject to the exceptions, reservations and conditions hereinabove set forth, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said party of the Second Part, its successors, grantees and assigns, without warranty of title.

IN TESTIMONY WHEREOF, said party of the First Part has hereunto caused this instrument to be executed, by its proper officers, all pursuant to the authority and direction of its Board of Directors, on this the date first hereinabove written.

PEABODY COAL COMPANY

By: H.W. Williams RMT
(Name & Corporate Capacity) 2/24/86
H.W. WILLIAMS
PRESIDENT

(Corporate Seal)

ATTEST:

J.M. Touhill
(Name & Corporate Capacity)
J.M. TOUHILL
SECRETARY

STATE OF MISSOURI, SS:
CITY OF ST LOUIS,

THIS INSTRUMENT
PREPARED
BY William E. Payton
WILLIAM E. PAYTON
ATTORNEY AT LAW
GREENVILLE, KY. 40345

The foregoing instrument was acknowledged before me on the 4TH day of MARCH, 1986, by H.W. WILLIAMS and J.M. TOUHILL, the PRESIDENT and SECRETARY, respectively, of Peabody Coal Company, a Delaware corporation, for and on behalf of said corporation.

David H. McMullen
Notary Public

My commission expires: 7/15/88

(Seal)

DAVID H. McMULLEN
NOTARY PUBLIC, STATE OF MISSOURI
MY COMMISSION EXPIRES 7/15/88
ST. LOUIS COUNTY

1.2.1

THIS ROAD RIGHT OF WAY DEED, made and entered into on this the 20th day of July, 1987, by and between PEABODY COAL COMPANY, a Delaware corporation, authorized to transact and conduct business in the Commonwealth of Kentucky, with offices at 1951 Barrett Court, P. O. Box 1990, Henderson, Henderson County, Kentucky 42420, party of the First Part, and MUHLENBERG COUNTY, KENTUCKY, a body politic, party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the premises and for no cash consideration paid, the said party of the First Part has bargained and sold and does by these presents bargain, sell, alien, quitclaim and convey unto the said party of the Second Part, its successors, grantees and assigns, the SURFACE ONLY of the following road easement and right of way described as follows:

A right of way for a road in the Martwick area of Muhlenberg County, Kentucky, and being a strip of SURFACE 60 feet in width and described as follows:

Beginning at a iron pin in the north right of way of United States Highway 62, point being 33.8 feet to centerline of said Highway, 359.0 feet to southeast corner of bridge crossing Illinois Central Gulf Railroad and approximately 1.1 miles southwest of Rockport Bridge over Green River; running thence N 45° 36' 58" W 263.06 feet to a iron pin; thence N 44° 44' 35" W 315.37 feet to a iron pin; thence S 61° 56' 40" W 395.47 feet to a iron pin; thence S 37° 54' 08" W 555.09 feet to a iron pin; thence S 39° 32' 10" W 163.38 feet to a iron pin 30 feet from centerline of county road and 193.0 feet north of centerline of railroad; thence with the right of way of county road N 07° 22' 26" W 85.71 feet to a iron pin; thence leaving said right of way N 40° 58' 18" E 100.66 feet to a iron pin; thence N 37° 58' 53" E 567.11 feet to a iron pin; thence N 61° 41' 57" E 413.42 feet to a iron pin; thence S 78° 00' 11" E 81.79 feet to a iron pin; thence S 44° 04' 10" E 304.80 feet to a iron pin; thence S 45° 48' 58" E 248.22 feet to a iron pin in the right of way of United States Highway 62; thence with the right of way of said road S 32° 40' 50" W 62.97 feet to the point of beginning containing 2.355 acres.

(The beginning point has a Peabody coordinate value of 38649 North and 29172 East).

Being a part of the same surface acquired as follows: (1) deed dated June 19, 1971, from Julius Edwards and wife, Thelma Edwards, to Peabody Coal Company, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 283, page 239 (016-680 property) and (2) a part of Parcel 38 of Tract 15 of the Martwick property conveyed to W. A. Wickliffe Coal Company by Greenville Coal Company, by deed dated November 14, 1947, of record in the office of the said Clerk in Deed Book 164, page 199; on December 20, 1952, Deed Book 192, page 385, W. A. Wickliffe Coal Company conveyed said property to Homestead Coal Company (3/4 interest) and Sinclair Coal Company (1/4 interest); on December 31, 1954, Sinclair Coal Company conveyed to Homestead Coal Company its undivided 1/4 interest in said property by deed of record in said Clerk's office in Deed Book 164, page 199; Homestead Coal Company was merged into and with Sentry Royalty Company on December 26, 1957, Deed Book 214, page 207-A; Sentry Royalty Company was merged into and with Peabody Coal Company, an Illinois corporation, on September 1, 1967, Articles of Incorporation Book 5, page 593; on March 29, 1968, Deed Book 264, page 1, Peabody Coal Company, an Illinois corporation, conveyed to Peabody Coal Company, a Delaware corporation, said property and being a part of Items 1 and 2, File No. 16-34 on Exhibit A, Division VII, Commonwealth of Kentucky, Subdivision 7.07, Muhlenberg County, in said conveyance.

Said party of the Second Part shall take hereunder a perpetual right to maintain, replace and repair a road or highway on the above described easement; in the event Second Party shall ever fail or cease to maintain a road or highway on the above described easement, then party of the First Part may elect to reenter the above described easement after giving prior notice to party of the Second Part, in which case the rights granted hereunder shall terminate and cease and the property over which said easement runs shall hereafter revert to the First Part, its successors and assigns and shall no longer be burdened by virtue of this right of way or easement granted herein.

Said party of the First Part, for itself, its successors, grantees and assigns, specifically excepts, reserves and retains all coal, oil, gas and all other minerals of every nature and kind contained in and underlying the surface of the above described property, together with the full, free and unrestricted right and privilege to mine and remove said minerals underlying the surface herein conveyed, without liability for any damages of every kind, character or nature, howsoever caused, that may arise or result to the surface of said land or any improvements thereon by reason of said mining and removal of coal, oil, gas and all other minerals and the said party of the First part, its successors, grantees and assigns, excepts, reserves and shall have and retain the rights of ingress and egress to and from said land

for mining purposes, together with the unlimited right to use underground passages which may be made and constructed under said land for the transportation of coal, oil, gas and all other minerals or other substances and machinery, repairs and supplies to or from adjoining or other lands to or from which the First Party, its successors, grantees and assigns, may desire to transport the same, without any charge or liability on account thereof. This exception and reservation shall be a covenant and condition running with the title to the surface herein conveyed and shall be binding upon all successors, grantees and assigns of said property.

This conveyance is subject to any and all easements of record in the office of the Muhlenberg County Court Clerk and those visible and existing on the premises.

By the acceptance of this deed, the said party of the Second Part waives and releases the party of the First Part, its successors, grantees and assigns, or its predecessors in title, of any and all liability or responsibility whatever for any damages caused or to be caused or brought about by the past, present or future mining operations of First Party, its successors, grantees and assigns, or its predecessors in title.

TO HAVE AND TO HOLD, the SURFACE ONLY of the above described property for the use as a road or highway right of way grant or easement, subject to the exceptions, reservations and conditions hereinabove set forth, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said party of the Second Part, its successors, grantees and assigns, without warranty of title.

IN TESTIMONY WHEREOF, the said party of the First Part has hereunto caused this instrument to be executed, by its proper officers, all pursuant to the authority and direction of its Board of Directors, on this the date first hereinabove written.

PEABODY COAL COMPANY

By: H.W. Williams APPROVED - LEGAL
(Name & Corporate Capacity) EX-77-27

(Corporate Seal)

ATTEST:

Jeff Kluge, SECRETARY
(Name & Corporate Capacity)

THIS INSTRUMENT
PREPARED

BY William E. Payton
WILLIAM E. PAYTON
ATTORNEY AT LAW
GREENVILLE, KY. 42345

STATE OF KENTUCKY, SS:
COUNTY OF HENDERSON,

The foregoing SURFACE RIGHT OF WAY GRANT was acknowl-
edged before me on this the 20th day of July, 1987, by
H.W. Williams and Jeffery Kluge, the
President and Secretary, respectively,
of Peabody Coal Company, a Delaware corporation, for and on
behalf of said corporation.

Mildred Sue Cooney
Notary Public

My commission expires: April 9, 1990

(Seal)

1.4.2

016-053

35

THIS DEED OF CONVEYANCE made and entered into this the 29th day of January, 1952, by and between Luther Faught and his wife, Goldie Faught, of Route #2, Central City, Muhlenberg County, Kentucky, parties of the First Part, and the W. A. Wickliffe Coal Company, a Kentucky Corporation, with its chief office and place of business at Greenville, Muhlenberg County, Kentucky, party of the Second Part,

W I T N E S S E T H:

That said parties of the First Part, for and in consideration of the sum of ONE DOLLAR (\$1.00), and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and do by these presents bargain, sell, alien and convey unto the party of the Second Part, its successors in title and assigns, the following described tract or parcel of land, located about 3½ miles east of Central City on the Central City and Nelson Road, in Muhlenberg County, Kentucky, and bounded as follows:

Beginning at a maple, running thence North ½ degree East 942 feet to three sweet gums on bank of creek; thence South 84 degrees 45 minutes East 1642 feet to a hornbeam on creek bank; thence North 6-¾ degrees East 2286 feet to a rock; thence North 86½ degrees West 1405 feet to a rock, not found, Hill's corner; thence South 4 degrees West 1320 feet to a rock; thence North 88 degrees 40 minutes West 1481 feet to a rock and hickory; thence South 1498 feet to a rock, Slaton's corner; thence South 87½ degrees East 492 feet to a white oak and sweet gum; thence South 4-¾ degrees East 390 feet to an elm and black gum; thence North 87½ degrees East 507 feet to a maple, the beginning corner, containing 119.04 acres, more or less, but subject to all legal highways.

The coal and minerals underlying same are excepted and reserved to the extent same have heretofore been excepted and reserved by former deeds of record which are hereby referred to and made a part hereof.

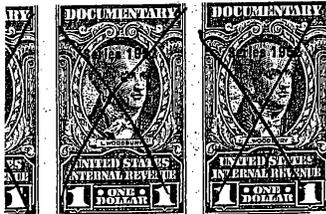
527

Being the same property conveyed to Luther Faught and his wife, Goldie Faught, or the survivor, by Elvis Douglas, a single man and Frank Douglas, a single man, by their deed dated May 11, 1948, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 166, Page 203.

The parties of the First Part agree to surrender and deliver possession of the above described property on or before January 1, 1953.

TO HAVE AND TO HOLD, said above described property, together with all the appurtenances thereunto belonging, or in anywise appertaining, unto the party of the Second Part, its successors in title and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the parties of the First Part, have hereunto subscribed their names, all the day and date first hereinabove written.



Luther Faught
Luther Faught

Goldie Faught
Goldie Faught

State of Kentucky,

Set.



County of Muhlenberg,

I, Robert A. Lawton, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing Deed of Conveyance from Luther Faught and his wife, Goldie Faught to the W. A. Wickliffe Coal Company, a Kentucky Corporation, was this day produced to me in my County and acknowledged before me in due form of law by the said Luther Faught and his wife, Goldie Faught, parties Grantor thereto, to be their voluntary act and deed.

Given under my hand and seal of office this the 29th day of January, 1952.

My commission expires the 29 day of Jan., 1952.



Robert A. Lawton
Notary Public, Muhlenberg County, Ky.
Notary Public, Muhlenberg Co., Ky.
My Commission Expires Aug. 1, 1952

10

11

12

13

14

526

016-053



1.4.2

016-053

SUPPLEMENTAL CERTIFICATE

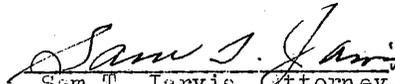
I have examined the title to the property described on the caption sheet of the attached abstract from the date of said abstract to the present date, and find that under the conveyance set out on Page #2 hereof, the W. A. Wickliffe Coal Company, acquired a good title to the surface of said property.

The attached abstract does not mentioned the coal or mineral, however on January 23, 1908, Effie Southard, conveyed her undivided interest in all the coal and minerals under said property to the 5J Coal Company, which deed is now of record in the Muhlenberg County Court Clerk's Office in Deed Book 72, Page 313, and on January 25, 1908, James W. Oates, Master Commissioner, conveyed the remaining undivided interest in said coal and minerals to the 5J coal Company, which deed is now of record in the Muhlenberg County Court Clerk's Office in Deed Book 72, Page 314.

I do not find any other adverse conveyances of record affecting the title said property during said period. There are no valid liens of record against said property.

The taxes have been paid thereon for the year of 1951, and should be listed to your company for 1952.

Witness my hand this the 1st day of February, 1952.


Sam T. Jarvis, Attorney.

THIS DEED OF CONVEYANCE made and entered into this the 29th day of January, 1952, by and between Clifton Byers and his wife, Mable Byers, of Route #2, Central City, Muhlenberg County, Kentucky, parties of the First Part, and the W. A. Wickliffe Coal Company, a Kentucky Corporation, with its chief office and place of business at Greenville, Muhlenberg County, Kentucky, party of the Second Part,

W I T N E S S E T H:

That said parties of the First Part, for and in consideration of the sum of ONE DOLLAR (\$1.00), and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold, and do by these presents bargain, sell, alien and convey unto the party of the Second Part, its successors in title and assigns, the following described five tracts of land, located in Muhlenberg County, Kentucky, and bounded as follows:

TRACT NO. 1: Beginning at a rock and black gum, and running thence due South 108 poles and 4 links to a rock; thence South $86\frac{1}{2}$ E. 84 poles and 17 links to a stone; thence S. 7 W. $133-8/10$ poles to a stake in the old line, Beech Pointer (Beech Pointer being N. 23 E. 60 feet from a small Hornbeam, the old original corner); thence N. 86-10 E. 42-6/100 poles to the corner of the fence between Richardson's property and above Tract (old corner. Corner of fence is S. 32 W. 20 feet from a Hickory pointer); thence running North 90 poles to a rock; thence East 40 poles to a rock; thence North 125 poles to a rock; thence West 42 poles to a rock; thence N. 68 W. 70 poles to a rock; thence in a Westerly direction 50 poles to the beginning, and containing one hundred and thirty acres, more or less.

There is excepted and reserved from the above boundary that certain parcel of land which was conveyed by C. L. Richardson, on December 16, 1942, unto Rollie Bishop and Anna Bishop, his wife, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 149, Page 127, and bounded as follows:

PARCEL A: Beginning at a stone, the beginning corner of a tract of surface conveyed unto Ben L. Richardson and C. L. Richardson, by deed dated October 29, 1917, by John Devine and wife, said deed is recorded in Deed Book 93, on page 514; thence with old line S. 2-30 W. 576 feet to a stone, to Tract now owned by Rollie Bishop; thence with a new Division line S. 86-45 E. 2600 feet to a stone in old line; thence with old line N. 2-30 E. 1140 feet to a stone on South side of road, and corner to School Lot; thence N 87-25 W. 713 feet to a rock; thence S. 64-25 W. 1184 feet to a rock; thence N. 85-50 W. 841.5 feet to the beginning, and containing 50 acres, more or less.

TRACT NO. 2: Beginning at a planted stone, Peter Jones old corner and running with that West 40 poles to a rock; thence South 90 poles to a hickory, McLean's corner; thence East 80 poles to a water oak, two gums marked as pointers; thence North 210 poles to a small white oak; thence West 40 poles to a black gum in the old line; thence S. $2\frac{1}{2}$ W. 120 poles to the

beginning, containing seventy three and one half acres, (73½ acres).

There is excepted and reserved from the boundary of Tract No. 2, a certain parcel conveyed unto B. L. Richardson and C. L. Richardson by George W. Richardson and his wife, Mary E. Richardson, T. R. Richardson and his wife, Mora Richardson, by deed dated October 30, 1917, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 93, Page 516, and bounded as follows:

PARCEL B: Beginning at a stone in the George W. Richardson line; thence N. 4 E. 95 rods and 23 links to a small white oak; thence W. 40 rods to a black gum in the old line; thence S. 4 W. 100 rods to a stone; thence N. 85½ E. 40 rods to the beginning, containing 24½ acres, more or less. (This is actually Tract No. 5 in this deed).

TRACT NO. 3: A certain tract of land near the Bank of Green River, and beginning at a rock, Whitehouse's corner, and running with Whitehouse line N. 88 W. 1795 feet to a rock on the East side of the Public Road; thence S. 21 E. 412 feet to a black oak; thence S. 29 E. 404 feet to a rock; thence S. 88 E. 1467 feet to a rock, Central Coal and Iron Company's line; thence with said line N. 3 E. 698 feet to the beginning, containing thirty two and one half acres. 529

TRACT NO. 4: Beginning at a stone in J. A. Stogner's line; thence S. 29 E. 796 feet to a rock in the old line; thence S. 88 W. 1064 feet to an iron pin, Nalley's corner; thence N. 3 E. 688 feet to a stone; thence N. 88 W. 1467 feet to the beginning, containing 20 acres.

There is excepted from Tracts 3 and 4, a parcel of land conveyed by C. L. Richardson, to Everett Cartwright and his wife, Hattie Cartwright, by deed dated August 21, 1943, and of record in the Muhlenberg County Court Clerk's Office in Deed Book 151, Page 396, and bounded as follows:

PARCEL C: Beginning at a fence post, corner to property of Everet Cartwright and Len Richardson in line of _____ Withrow; thence with the old line S. 86-30 E. 428 feet to a stone; thence with a new division line N. 13-15 W. 1437 feet to a stake in the old line between Rollie Bishop and Len Richardson; thence with the old line N. 86-30 W. 783 feet to an iron pin, corner to property of Cartwright and Richardson; thence with the old line S. 17-30 E. 412 feet to a stake; thence S. 27-45 E. 1164 feet to the beginning, containing 20 acres.

TRACT NO. 5: Beginning at a stone in the George W. Richardson line; thence N. 4 E. 95 rods and 23 links to a small white oak; thence West 40 rods to a black gum in the old line; thence S. 4 W. 100 rods to a stone; thence N. 85½ E. 40 rods to the beginning, containing 24½ acres, more or less.

The coal and minerals underlying the above described tracts of land are excepted and reserved to the extent same has heretofore been excepted and reserved, but first parties convey unto second party, all of their right, title and interest in same, in so far as they may have any interest therein.

An undivided one-half (½) interest in the above described property was conveyed to Clifton Byers and his wife, Mable Byers, by Norman Stewart and his wife, Juanita Mae Stewart, by their deed dated August 28, 1948, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 170, Page 557.

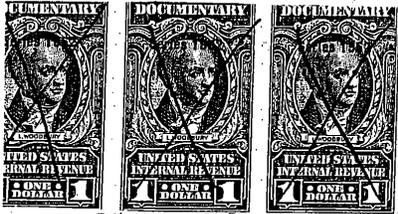
The remaining undivided one-half (½) interest was conveyed

unto Clifton Byers by G. L. Richardson, a single man, by his deed dated December 7, 1944, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 156, Page 469.

The parties of the First Part agree to give immediate possession of the 23 acre Tract of land South of the house and possession of the remainder on or before January 1, 1953.

TO HAVE AND TO HOLD, said above described property, together with all the appurtenances thereunto belonging, or in anywise appertaining, unto the party of the Second Part, its successors in title and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the parties of the First Part, have hereunto subscribed their names, on the day and date first hereinabove written.



State of Kentucky,

Clifton Byers
Clifton Byers

Mable Byers
Mable Byers

Sct.

30 County of Muhlenberg,

I, Robert A. Linton, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing Deed of Conveyance from Clifton Byers and his wife, Mable Byers, to the W. A. Wickliffe Coal Company, a Kentucky Corporation, was this day presented to me in said County and acknowledged before me in due form of law by the said Clifton Byers and his wife, Mable Byers, parties Grantor thereto, to be their act and deed.

Given under my hand and seal of office this the 29th day of January, 1952.

My commission expires the 29 day of Jan., 1952.



Robert A. Linton
Notary Public, Muhlenberg County, Ky.
My Commission Expires Aug. 2, 1954



THIS DEED OF CONVEYANCE made and entered into this the 29th day of August, 1955, by and between Louise Mabrey Devine and her husband, Paul Devine, of Central City, Muhlenberg County, Kentucky, parties of the First Part, and the Homestead Coal Company, a Kentucky corporation, party of the Second Part,

W I T N E S S E T H:

That the parties of the First Part for and in consideration of the sum of ONE DOLLAR (\$1.00), and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and do by these presents bargain, sell, alien and convey unto the party of the Second Part, its successors in title and assigns, the following described four (4) tracts or parcels of land, located in Muhlenberg County, Kentucky, and bounded as follows:



FIRST TRACT: Beginning at a walnut tree in Ora Masters line and running thence south 84° east 58' poles to a small sugar tree and persimmon in T. R. Ferguson's line; thence north 2½° west 91½' poles to an old marked maple, two white oaks and two hickories, newly marked; thence north 88-15 west 58' poles; thence across the said tract south 2° east 86' poles and 4 links to the beginning, containing 36 acres, more or less.



SECOND TRACT: One-half of the following survey: Beginning at a white oak in Vaught's line Peter Jones' corner and running thence due south 20' poles to three hickories and one gum; thence north 58° east 88' poles to an elm and black gum, P. Jones' corner; thence due north 22' poles to a white oak and sweet gum, Jones' corner; thence due west 88' poles to a stake, containing 11 acres, more or less. The part herein conveyed is the eastern half of this tract.



THIRD TRACT: Beginning at a walnut, John Devine's old corner and running thence South 14-3/4° west 65' poles to a stake in the old line; thence with the old line north 88½° east 74' poles to an elm and oak; thence north 1½° east 61.2' poles to a persimmon and sugartree; thence north 83½° west 58' poles to the beginning, containing 20 acres, more or less.

FOURTH TRACT: Beginning at a fence post in the Mabrey old line 210 feet north of the land and running due east 210 feet; thence south 440 feet to a stake; thence west 210 feet to a stake in the Mabrey old line; thence with his line north 440 feet to the beginning, containing 88000 square feet. 2.02 AC.

Being the same property conveyed to Louise Mabrey Devine and her husband, Paul Devine, or the survivor, by Paul(T) Mabrey, a single man, by his deed dated December 6, 1948, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 168, page 132.

This conveyance covers and includes all adjoining land owned by the parties of the First Part, or either of them, regardless of any omission or irregularity in the foregoing descriptions or title reference.

TO HAVE AND TO HOLD, the above described property, together with all the appurtenances thereunto belonging or in any wise appertaining, unto the party of the Second Part, its successors in title and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the parties of the First Part have hereunto subscribed their names, all the day and year first herein above written.

Louise Mabrey Devine

LOUISE MABREY DEVINE
Paul Devine

PAUL DEVINE

State of Kentucky,
Sct.
County of Muhlenberg,

I, John Webb, Muhlenberg County Court Clerk, hereby certify that the foregoing Deed of Conveyance from Louise Mabrey Devine and her husband, Paul Devine, to Homestead Coal Company, a Kentucky corporation, was this day produced to me in my County and acknowledged before me in due form of law by the said Louise Mabrey Devine and her husband, Paul Devine, parties Grantor thereto, to be their voluntary act and deed.

Given under my hand this the 29th day of August, 1955.

JOHN WEBB, Muhlenberg County
Court Clerk

Deed Tom...

Louise Mabrey Devine and
husband, Paul Devine

TO: DEED

Homestead Coal Company

FILED
1955 AUG 31 PM 10:40
JOHN WEBB, CLERK
HARRISBURG, PA

RECORDED IN DEED BOOK 193

PAGE 335

SAM T. JARVIS
ATTORNEY-AT-LAW
First State Bank Bldg.

70.90 (Rev. 41)

Fall

1.4.7

016-213

THIS DEED made and entered into this the 1st day of August, 1955, by and between AYRSHIRE COLLIERIES CORPORATION, a Delaware corporation, party of the first part, and HOMESTEAD COAL COMPANY, a Kentucky corporation, party of the second part,

59

WITNESSETH: That the party of the first part, for and in consideration of the sum of \$1.00 cash and other valuable consideration in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and do by these presents bargain, sell and convey unto the party of the second part, its successors and assigns, two tracts of land situated in Muhlenberg County, Kentucky, and bounded and described as follows:

TRACT #1: Beginning at a sweet gum and a black gum, running thence S. 1-1/2 E. 511 feet to a stake (formerly a maple and sweet gum); thence S. 32-3/4 E. 2240 feet to an elm; thence S. 43 W. 2370 feet to a sweet gum, formerly A. Wright's corner; thence N. 47 W. 3050 feet to a black oak; thence S. 43 W. 1695 feet to a stake in Weir's line (now Gish's line); thence N. 25 E. 1785 feet to a down hickory, one of the old corners; thence N. 10 E. 1565 feet to a sweet gum; thence N. 88-1/2 E. 2825 feet to the beginning, containing 241-8/10 acres, more or less.

This deed conveys the surface, oil and gas and every other interest whatsoever except the coal underlying said tract of land which has heretofore been severed from the surface by a deed of conveyance which is now of record and is specifically referred to.

And being the same property conveyed to David H. Fortney and his wife, Rachell B. Fortney, by E. A. Mahan, et al, by deed dated March 3, 1948, and recorded in Deed Book 166, at page 381, in the office of the County Clerk of Muhlenberg County, Kentucky.

TRACT #2: Beginning at a fence post, George Doss corner, thence with his line N. 70 W. 574.5 feet to a stone in right-of-way line of road leading to Kincheloe Bluff ferry; thence with said road line S. 85-30 W. 50.0 feet to an iron pin; thence with a new division line S. 9-45 E. 1352.0 feet to an iron pin; thence S. 67-45 E. 317.0 feet to an iron pin in the old line between Gish and Fortney; thence with the old line N. 10-45 E. 125.0 feet to an iron pin, David Fortney's corner; thence N. 2-30 E. 1148.0 feet to the beginning, containing 13.3 acres, more or less.

The property herein conveyed was conveyed to grantor herein by David H. Fortney and Rachell B. Fortney by deed dated November 4, 1954, recorded in Deed Book 189, page 437, Muhlenberg County Clerk's Office.

There is reserved from Tract #2 the coal in and underlying the same, together with certain mining rights and privileges as set out in the deed from S. J. Gish to the Central Coal and Iron Company dated August 10, 1914, and recorded in Deed Book 87, at page 502, in the office aforesaid. There is further reserved all of the oil, gas and other minerals and substances except coal, together with certain mining rights and privileges as set out in the deed from S. J. Gish to the Central Gas Company dated August 10, 1914, and recorded in Deed Book 87, at page 514, in the office aforesaid.

And being the same property conveyed to David H. Fortney and his wife, Rachell B. Fortney, by the Central Land Company by deed dated June 2, 1948, and recorded in Deed Book 166, at page 384, in the office aforesaid.

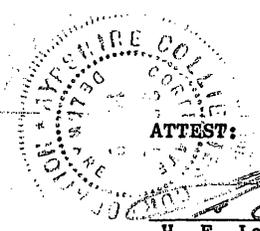
Plat of the above described tracts is attached hereto and made a part hereof.

TO HAVE AND TO HOLD said tracts of land, together with all of the appurtenances thereunto belonging, unto the party of the second part, its successors and assigns forever, with covenant of General Warranty.

IN TESTIMONY WHEREOF the party of the first part has hereunto subscribed their names on the date first above written.

AYRSHIRE COLLIERIES CORPORATION

By R. H. Swallow
R. H. Swallow, Vice President



H. E. Lohmann, Asst. Secretary

STATE OF INDIANA)
) SS
COUNTY OF MARION)

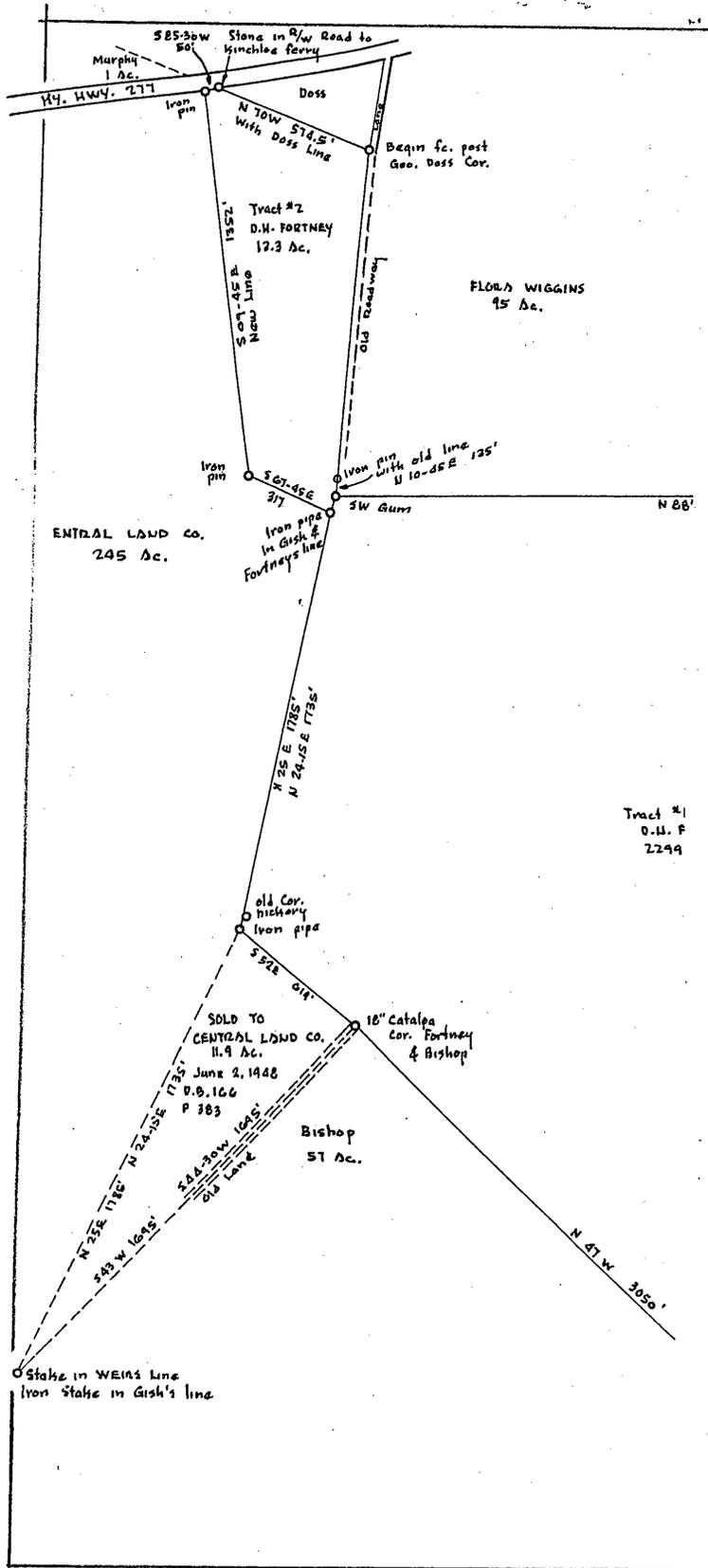
I, Alberta R. Meyer, a Notary Public in and for the State and County aforesaid, this first day of August, 1955, personally appeared R. H. SWALLOW and H. E. LOHMANN, known to me to be the Vice President and Assistant Secretary respectively of AYRSHIRE COLLIERIES CORPORATION, a Delaware corporation, and who acknowledged the execution of the foregoing Deed on behalf of said corporation as the voluntary act and deed of said corporation for the uses and purposes therein set forth and stated that as such officers they executed said instrument respectively and affixed the corporate seal thereto pursuant to due authorization of its Board of Directors.

IN WITNESS WHEREOF the undersigned has hereunto set her hand and notarial seal the day and year first above written.

Alberta R. Meyer



60



J. C. TURNER

ENGINEERING

out of 016-213
(see 016-696)

1.4.7

THIS DEED OF CONVEYANCE, made and entered into this the 28th day of May, 1985, by and between PEABODY COAL COMPANY, a Delaware corporation, authorized to do business in the State of Kentucky, party of the First Part, and CENTRAL LAND COMPANY, a Kentucky corporation, of Broad Street, Central City, Kentucky, party of the Second Part,

W I T N E S S E T H :

That for and in consideration of the sum of TEN (\$10,00) DOLLARS and other good and valuable consideration, including, but not limited to, the full satisfaction of all of the terms and provisions of that Indenture by and between party of the First Part and the predecessors in title of party of the Second Part dated January 10, 1973, the receipt and sufficiency of all of such considerations being hereby acknowledged by party of the Second Part, party of the First Part has bargained and sold and does by these presents hereby bargain, sell, alien, grant and convey unto the party of the Second Part the SURFACE ONLY of a certain tract or parcel of land situated and located in Muhlenberg County, Kentucky, and bounded and described as follows:

Beginning at an iron pipe on top of ridge, Gish, Mason, Peabody corner, then N 14-47 E 956.5' with Gish to a stake; then N 60-05 W 535.3' with Gish to a stake in the east R/W of Hwy. 277; then N 29-19 E 875' with the east R/W of Hwy. 277 to a stake; then leaving said Hwy. on the following courses of new division lines: S 30-18 E 551.0' to a stake; S 02-26 W 488.3' to a stake; S 43-57 E 225.2' to a stake; S 83-16 E 320.1' to a stake; S 55-02 E 138.1' to a stake; S 36-35 E 213.8' to a stake; S 41-26 W 214.9' to a stake; then S 69-56 W 1,110.0' to the beginning, and containing 24.2 acres.

First Party acquired title to the SURFACE of said property by Deed of Conveyance from Peabody Coal Company, an Illinois Corporation, dated March 29, 1968, in Deed Book 264, page 1, of the Muhlenberg County Court Clerk's Office.

(a) All coal excepted and reserved with all rights and privileges as set forth in deed dated August 10, 1914, from Shelby J. Gish and wife, Roxie G. Gish, to Central Coal & Iron Company, which deed is now of record in

DEED OUT		
FIELD OFFICE	EJW	10-18-85
ST. LOUIS OFFICE	DKF	9-11-85
TRACING	DKF	9-11-85

the Muhlenberg County Court Clerk's Office in Deed Book 87, page 502, and hereby referred to and made a part hereof the same as though fully copied herein.

(b) All oil, gas and all other minerals (except coal) excepted and reserved with all rights and privileges as set forth in Deed dated July , 1914, from S. J. Gish and wife, Roxie G. Gish, to Central Gas Company, which deed is now of record in the Muhlenberg County Court Clerk's Office in Deed Book 87, page 514, and hereby referred to and made a part hereof the same as though fully copied herein.

(c) In the conveyance dated August 10, 1914, from S. J. Gish and wife, Roxie G. Gish, to Central Land Company, said deed contained the following provisions:

"This deed conveys the SURFACE ONLY to the tracts of land herein described, all coal, oil, gas and other minerals contained in and underlying same being hereby reserved, with the right to mine and remove same, and all of them, without liability for any damage which may occur by reason of said mining and removal."

Said deed of conveyance is now of record in the Muhlenberg County Court Clerk's Office in Deed Book 87, page 507, and hereby referred to and made a part hereof the same as though fully copied herein.

(d) First Party, for itself and its successors, grantees and assigns, specifically except, reserve and retain all coal, oil, gas and other minerals of every nature and kind contained in and underlying the surface of the above described lot or parcel of land, together with the full, free and unrestricted right and privilege to mine and remove same from underneath the surface herein sold and conveyed, without liability for and damages of every nature and kind, howsoever caused, that may arise or result to the surface of said land or any improvements thereon by reason of said mining and removal of said coal, oil, gas and other minerals, and First Party, its successors, grantees and assigns, except, reserve and shall have and retain the rights of ingress and egress to and from said land for mining purposes, together with the unlimited right to use underground passages which may be made and constructed under said land for the transportation of coal, oil, gas and other minerals, or other substances and machinery, repairs and supplies to or from adjoining or other lands to or from which the First Party, its successors, grantees or assigns may desire to transport the same, without any charge or liability on account thereof. This exception and reservation shall be a covenant and condition running with the title of the SURFACE herein conveyed, and shall be binding upon all successors, grantees and assigns of said SURFACE.

TO HAVE AND TO HOLD, the SURFACE ONLY of the above-described tract or parcel of land, together with any and all appurtenances thereunto belonging or in anywise appertaining unto the party of the Second Part, its successors in title, grantees and assigns, forever, with Covenant of SPECIAL WARRANTY of Title.

IN WITNESS WHEREOF, the party of the First Part has caused this instrument to be executed by its duly appointed and properly authorized officers on this the day and date first hereinabove written.

PEABODY COAL COMPANY

By: Wayne T. Ewing Rmt
WAYNE T. EWING - PRESIDENT 5-22-85

ATTEST:

J.M. Touhill
J.M. TOUHILL
SECRETARY

STATE OF MISSOURI, SS
CITY OF ST. LOUIS,

The foregoing Deed of Conveyance was signed and acknowledged before me on this the 28th day of May, 1985, by WAYNE T. EWING and attested by J.M. TOUHILL, the PRESIDENT and SECRETARY, respectively, of Peabody Coal Company, a Delaware corporation, for and on behalf of said corporation.

Fern J. Biggs
Notary Public

My commission expires:

FERN J. BIGGS
NOTARY PUBLIC, STATE OF MISSOURI
MY COMMISSION EXPIRES 11/14/88
ST. LOUIS COUNTY

THIS INSTRUMENT
PREPARED

BY.....

REES KINNEY
ATTORNEY AT LAW
GREENVILLE, KY. 42345

1.4.7

QUITCLAIM DEED

116-746
5.75 ac. out of 016-213
168.23 " " " 016-226
2.00 " " " 016-667

THIS QUITCLAIM DEED, executed and delivered this the 12th day of December, 1990, by PEABODY COAL COMPANY, a Delaware corporation qualified to transact business in Kentucky, with its principal place of business at 301 North Memorial Drive, St. Louis, Missouri 63102, and PEABODY DEVELOPMENT COMPANY, a Delaware corporation qualified to transact business in Kentucky, with its principal place of business at 200 North Broadway, St. Louis, Missouri 63102 (collectively "Grantors") to COMMONWEALTH OF KENTUCKY FOR THE BENEFIT OF THE CORRECTIONS CABINET, State Office Building, Frankfort, KY 40601 ("Grantee").

W I T N E S S E T H:

WHEREAS, Grantee desires to receive from Grantors a donation of the real property ("Property") located in Muhlenberg County, Kentucky and more particularly described in Exhibits A and B attached hereto and incorporated herein by reference; and

WHEREAS, Grantors are willing to make such a donation of the Property on the terms and conditions set forth hereinafter.

NOW, THEREFORE, in consideration of the premises - there being no exchange of monetary consideration - Grantors do hereby quitclaim and donate to Grantee the Property subject to the following terms and conditions:

1. If Grantee has not begun construction of a state prison on the Property within five (5) years of the date hereof, Grantors shall have the right to re-enter the Property and the interest of Grantee therein shall thereafter cease and determine.

2. Grantors reserve, except and retain all of the coal underlying the Property and the right to extract said coal by underground mining methods to the extent allowed by applicable law. Grantors also reserve, except and retain all oil and gas and other minerals underlying the Property and the right to recover said minerals by drilling from locations other than on the surface of the Property.
3. Grantor, Peabody Coal Company, reserves, excepts and retains the right of exclusive possession to that portion of the Property marked as the Exclusive Possession Area on the attached Exhibit B. Without limiting the generality of the preceding language of this paragraph 3, Grantor, Peabody Coal Company, specifically reserves, excepts and retains the right to enter upon the Property with appropriate personnel and machinery as necessary or convenient to remove earthen materials from the areas marked as Areas A and B on the map attached hereto as Exhibit B and to deposit said earthen materials either on the area marked as Area C on said map or on any area owned or controlled by Grantor, Peabody Coal Company, outside of the boundaries of the property. The rights of Grantor, Peabody Coal Company, described in this paragraph 3 shall expire when all of Grantor's, Peabody Coal Company's, surface mining reclamation obligations with respect to the Property are fully and finally released and discharged.
4. Grantee acknowledges that the Property has been surface mined and may have been undermined. As a result, the Property may be rough, unstable and subject to shifting and

subsiding of material. Grantee has examined the Property to its satisfaction and, relying exclusively on such examination, accepts the Property "AS IS". Grantors have made and make no warranty or representation with respect to the Property.

TO HAVE AND TO HOLD, the above described Property unto Grantee, its successors and assigns, subject to the terms, conditions, reservations, exceptions and other provisions hereof, WITHOUT COVENANT OF WARRANTY.

IN WITNESS WHEREOF, Grantors have executed this QUITCLAIM DEED this the 12th day of December, 1990.

ATTEST:

PEABODY COAL COMPANY

By: R.M. Trew
Its: Asst. Secretary

By: M. M. Smith R.M.T.
Its: Vice President 12-7-90

ATTEST:

PEABODY DEVELOPMENT COMPANY

By: Edward L. Sullivan
Its: Asst. Secretary

By: Jamuel Blackburn
Its: VICE PRESIDENT LMD

STATE OF KENTUCKY)
) SS
CITY OF HENDERSON)

On this 12th day of DECEMBER, 1990, before me appeared G.S. SHIFLET, to me personally known, who, being by me duly sworn, did say that he is the VICE PRESIDENT of Peabody Coal Company, and that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed in behalf of the corporation by authority of its board of directors, and said R.M. TEW acknowledged the instrument to be the free act and deed of the corporation.

MARK R. WILLIAMS
NOTARY PUBLIC
KENTUCKY STATE AT LARGE
MY COMMISSION EXPIRES 7/31/94

Mark R. Williams
Notary Public

My commission expires: July 31, 1994.

STATE OF MISSOURI)
) SS
CITY OF St Louis)

On this 11th day of December, 1990, before me appeared James W. Blackburn, to me personally known, who, being by me duly sworn, did say that he is the Vice President of Peabody Development Company, and that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed in behalf of the corporation by authority of its board of directors, and said James W. Blackburn acknowledged the instrument to be the free act and deed of the corporation.

MICHAEL J. SMITH
NOTARY PUBLIC—STATE OF MISSOURI
CITY OF ST. LOUIS
MY COMMISSION EXPIRES DEC. 5, 1992

Michael J. Smith
Notary Public

My commission expires: 12/05, 1992.

[SEAL]

We hereby certify that the fair market value of the property conveyed hereby is \$ 52,773.00.

PEABODY DEVELOPMENT COMPANY

PEABODY COAL COMPANY

By: Robert Chittum

By: G.S. Saiflett

COMMONWEALTH OF KENTUCKY FOR
THE BENEFIT OF THE CORRECTIONS
CABINET

By: _____

STATE OF KENTUCKY)
) SS.
COUNTY OF HENDERSON)

The foregoing CONSIDERATION CERTIFICATE was acknowledged and sworn to before me, on this the 12th day of DECEMBER, 1990, by G.S. SAIFLETT on behalf of Peabody Coal Company.

MARK R. WILLIAMS
NOTARY PUBLIC
KENTUCKY STATE AT LARGE
MY COMMISSION EXPIRES 7/31/94

Mark R. Williams
Notary Public
My Commission Expires: 7/31/94

STATE OF KENTUCKY)
) SS.
COUNTY OF HENDERSON)

The foregoing CONSIDERATION CERTIFICATE was acknowledged and sworn to before me, on this the 12th day of DECEMBER, 1990, by ROBERT CHITWOOD on behalf of Peabody Development Company.

MARK R. WILLIAMS
NOTARY PUBLIC
KENTUCKY STATE AT LARGE
MY COMMISSION EXPIRES 7/31/94

Mark R. Williams
Notary Public
My Commission Expires: 7/31/94

COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF _____)

The foregoing CONSIDERATION CERTIFICATE was acknowledged and sworn to before me, on this the ___ day of _____, 1990, by _____ on behalf of the Commonwealth of Kentucky for the benefit of the Corrections Cabinet.

Notary Public
My commission expires: _____

This Instrument Prepared By:

R.M. Tew

Ryan M. Tew
Attorney at Law
1951 Barrett Court
Henderson, KY 42420

RE11141

Description of a survey of a portion of the property of Peabody Coal Company located on the East side of Kentucky 277 near the City of Central City.

Beginning at an iron pin (set) in the east right of way of Kentucky 277, being thirty (30) feet east of the centerline thereof and also being thirty (30) feet south of the south edge of the driving surface of a private haul road of Peabody Coal Company, said beginning point being a new division corner within the property conveyed to Sentry Royalty Company by Roxie P. Gish et.al. on September 8, 1956, and of record in Deed Book 199, Page 51, of the Muhlenberg County Clerk's Office; thence with a new division line parallel with said haul road South 83-42-35 East 435.37 feet to an iron pin (set); thence with another division line parallel with said haul road North 86-11-18 East 1205.44 feet to an iron pin (set), said pin being a new division corner within the property conveyed to Homestead Coal Company by Ayrshire Collieries Corp. on August 1, 1955, and of record in Deed Book 194, Page 59, of the Muhlenberg County Clerk's Office; thence leaving the haul road and with new division lines South 00-22-07 East 984.79 feet to an iron pin (set), said pin being within the property conveyed to Sentry Royalty Company by Roxie P. Gish et.al. in Deed Book 199, Page 51; South 13-44-43 West 2782.79 feet to an iron pin (set) in the original Southeast line of said tract recorded at Deed Book 199, Page 51; South 46-10-19 West 1668.07 feet to an iron pin (set) in the line of E.M. Gish Jr.; thence North 29-55-31 West 1428.80 feet with the line of Gish and later with the line of Eddie Reed to an existing 2" iron pipe, corner to Reed and Gish, said line being the original southwest line of said tract conveyed to Sentry Royalty Company in Deed Book 199, Page 51; thence with the lines of the property conveyed to Central Land Company by Peabody Coal Company on May 28, 1985, and of record in Deed Book 402, Page 476, and now owned by E.M. Gish Jr. North 67-29-54 East 1101.12 feet to a stake, North 39-01-58 East 214.90 feet to a stake, North 38-59-02 West 213.80 feet to a stake, North 57-26-02 West 138.10 feet to a stake, North 85-40-02 West 320.10 feet to a stake, North 46-21-02 West 225.20 feet to a stake, North 00-01-58 East 488.30 feet to a stake, North 32-42-02 West 553.26 feet to a stake in the east right of way of Kentucky 277, being 35 feet from the centerline thereof, thence North 26-59-47 East 103.52 feet with said right of way to a stake, thence North 63-00-13 West 5.00 feet with said right of way to a stake; thence North 26-59-47 East 1700.68 feet with said right of way to the beginning, containing 175.91 acres pursuant to an August 27, 1990, survey by William C. Hill, L.S. 2102.

A part of the above described property was conveyed to Peabody Coal Company by the following deeds.

1. Ayrshire Colliers Corp. to Homestead Coal Company (Peabody Coal Company) by deed dated August 1, 1955, and recorded in Deed Book 194, page 59, in the Muhlenberg County Court Clerk's Office. 016-213
2. E. N. Gish, Jr., et al. to Sentry Royalty Co. (Peabody Coal Company) by deed dated September 8, 1956, recorded in Deed Book 199, page 51, in the Muhlenberg County Court Clerk's Office. 025-226

102

THIS DEED OF CONVEYANCE made and entered into this the 9th day of June, 1955, by and between George W. Doss, Jr. and his wife, Maggie Doss, of Central City, Muhlenberg County, Kentucky, parties of the First Part, and Homestead Coal Company, a Kentucky corporation, party of the Second Part,

W I T N E S S E T H:

That the said parties of the First Part for and in consideration of the sum of ONE DOLLAR (\$1.00), and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and do by these presents, bargain, sell, alien and convey unto the party of the Second Part, its successors and assigns, the following described tract or parcel of land, in Muhlenberg County, Kentucky, and bounded as follows:

Beginning at a rock Whitehouse's line Doss and Whitehouse's corner and running N. $88\frac{1}{2}$ W. 495 feet to a rock marked "D"; thence S. $1\frac{1}{2}$ E. 875 feet to a rock marked "D"; thence S. $88\frac{1}{2}$ E. 495 feet to a rock marked "D" in Ora Masters' line; thence with Masters' line N. $1\frac{1}{2}$ W. 875 feet to the beginning, containing 10 acres.

Being the same property conveyed to George W. Doss, Jr., by George W. Doss and his wife, Elizabeth Doss, by deed dated July 13, 1907, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 70, page 413.

There is excepted from the above boundary the following:

- (a) The coal and minerals only to the extent same were conveyed to the 5J Coal Company by George Doss Sr. and his wife, Elizabeth Doss, by deed dated October 19, 1907, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 74, page 197.
- (b) A parcel conveyed to Ayrshire Collieries Corp., by George W. Doss, Jr. and his wife, Maggie Doss, by deed dated January 31, 1955, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 190, page 476, and bounded as follows:



Beginning at a rock marked "D" at Northwest corner of 10 acre tract; thence with the old line and call S. 01-30 E. 59.5 feet, more or less, to an iron pin in the North right-of-way line of Ky Highway 277; thence with said North right-of-way line of said Highway S. 81-15 E. 356 feet to a stake in said line; thence still with said right-of-way S. 86-44 E. 138 feet to an iron pipe in the East line of the 10 acre tract in the North right-of-way line of said Highway; thence N. 01-30 W. with the Whitehouse tract 103 feet to a stake at the Northeast corner of the 10 acre tract, a rock called for, now gone; thence with the line of the Whitehouse tract and running on old call N. 88-30 W. 495 feet to the beginning, containing 1.04 acres, more or less.

TO HAVE AND TO HOLD, the above described property, together with all the appurtenances thereunto belonging, or in any wise appertaining, unto the party of the Second Part, its successors and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the parties of the First Part, have hereunto subscribed their names, all the day and date first hereinabove written.

George W. Doss, Jr.
George W. Doss, Jr.

Maggie Doss.
Maggie Doss.

State of Kentucky,

Sct.

County of Muhlenberg,

I, John Webb, Muhlenberg County Court Clerk, hereby certify that the foregoing Deed of Conveyance from George W. Doss, Jr. and his wife, Maggie Doss, to the Homestead Coal Company, a Kentucky corporation, was this day produced to me in my County and acknowledged before me in due form of law by the said George W. Doss, Jr., and his wife, Maggie, Doss, parties Grantor thereto, to be their voluntary act and deed.

Given under my hand this the 9th day of June, 1955.

JOHN WEBB, MUHLENBERG COUNTY COURT CLERK

BY Bear Topmill D.C.

George W. Doss, Jr. and wife,
Maggie Doss

TO: DEED

Homestead Coal Company
RECORDED IN DEED BOOK 192

PAGE 222

JUN 10 54 AM



FILED
JOHN WARR, CLERK
HENRIEVILLE, KY. DEPT.

1-10 R.S.

SAM T. JARVIS
ATTORNEY-AT-LAW
First State Bank Bldg.
GREENVILLE, KENTUCKY

Bill to
A.S. 1-11

1.4.9

Hibbs
016-240

THIS DEED OF CONVEYANCE made and entered into this the 4th day of January, 1956, by and between B. R. Davenport and his wife, Irene Davenport, parties of the First Part, and the Homestead Coal Company, a Kentucky corporation, party of the Second Part,

W I T N E S S E T H:

That the said parties of the First Part for and in consideration of the sum of ONE DOLLAR (\$1.00), and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and do by these presents bargain, sell, alien and convey, unto the party of the Second Part, its successors in title and assigns, the following described lot or parcel of land, located near Central City, in Muhlenberg County, Kentucky, and more particularly bounded and described as follows:

Beginning at a stake, corner to Jake Devine, Jr., and running thence S. $43\frac{1}{2}$ E. 537 feet, more or less, and with the Jake Devine, Jr., line to a stake; thence N. $43\frac{1}{2}$ E. 102 feet to a stone; thence N. $43\frac{1}{2}$ W. 537 feet to a stake; thence N. 33 E. 102 feet, more or less, to the point of beginning.

Surface and surface rights only are conveyed by this deed, all coal and mineral having heretofore been reserved.

Being the same property conveyed to B. R. Davenport by Lawrence C. Adler, a single man, by his deed dated January 30, 1954, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 186, page 290.
370

TO HAVE AND TO HOLD, the above described property, together with all the appurtenances thereunto belonging, or in any wise appertaining, unto the party of the Second Part, its successors in title and assigns, forever, with Covenant of General Warranty of Title.



IN TESTIMONY WHEREOF, the parties of the First Part, have hereunto subscribed their names, all the day and year first herein above written.

B. R. Davenport
B. R. Davenport
Irene Davenport
Irene Davenport

State of Kentucky, SCT.
County of Muhlenberg,

I, John Webb, Muhlenberg County Court Clerk, hereby certify that the foregoing Deed of Conveyance from B. R. Davenport and his wife, Irene Davenport, to the Homestead Coal Company, a Kentucky corporation, was this day produced to me in my County and acknowledged before me in due form of law by the said B. R. Davenport and his wife, Irene Davenport, parties Grantor thereto, to be their voluntary act and deed.

Given under my hand this the 4th day of January, 1956.

JOHN WEBB, MUHLENBERG COUNTY COURT CLERK

BY: B. E. Topmiller D.C.

State of Kentucky, Sct.
Muhlenberg County,

I, John Webb, Clerk of the Muhlenberg County Court, certify that the foregoing Deed was legally lodged in my office for record January 11 and the same, the foregoing, and this certificate, have been duly recorded therein.

Given under my hand, this the 13 day of January, 1956.

John Webb CLERK

B. R. Davenport and his
Wife, Irene Davenport

TO: DEED

Homestead Coal Company

RECORDED IN DEED BOOK
PAGE 339 195

FILED
1956 JAN 11 AM 8:58
JOHN WEBB, CLERK
MUNLENBERG CO. COURT
BY _____ D. C.

S. T. Jarvis
SAM T. JARVIS
ATTORNEY-AT-LAW
First State Bank Bldg.
GREENVILLE, KENTUCKY

1.4.10

016-290

THIS DEED OF CONVEYANCE made and entered into this the 15th day of April, 1955, by and between Bert Hendricks and his wife, Lorine Hendricks, of R. R. #2, Central City, Muhlenberg County, Kentucky, parties of the First Part and the Sentry Royalty Company, a Nevada Corporation, authorized to do business in the State of Kentucky, party of the Second Part,

W I T N E S S E T H:

That the said parties of the First Part for and in consideration of the sum of ONE DOLLAR (\$1.00), and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and do by these presents bargain, sell, alien and convey unto the party of the Second Part, its successors and assigns, the following described lot or parcel of land situated on the waters of Nelson Creek, in Muhlenberg County, Kentucky, and bounded as follows:



Beginning at a fence post on North side of road, corner to property of George Doss; thence with the road line S. 84 E. 80.0 feet to a stake; thence with a new division line N. 1 W. 830.0 feet to a stake; thence S. 89 W. 110.0 feet to a stake; thence N. 1 W. 915.0 feet to a stake in the old line; thence with the old line N. 86-50 W. 346.0 feet to a point in the road, formerly a sweet gum and 2 water beeches; thence S. 1 W. 326.0 feet to a stake; thence S. 84-30 E. 86.0 feet to a stake; thence still with the old line S. 0-30 W. 543.0 feet to a stake, corner to lot of J. R. Slaton; thence with his lines S. 87 -15 E. 210.0 feet to a stake; thence S. 2-30 E. 420.0 feet to his corner and corner to George Doss; thence with lines of Doss N. 87-45 E. 105.0 feet; thence S. 0-15 E. 458.0 feet to the beginning, containing 8.3 acres.

Being the same property conveyed to Bert Hendricks by Shirley Hendricks, a widow, by deed dated October 7, 1947, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 171, page 62.

The coal and minerals rights are reserved to the extent that same have heretofore been reserved.

TO HAVE AND TO HOLD, the above described property together with all the appurtenances thereunto belonging, or in any wise appertaining, unto the party of the Second Part, its successors in title and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the parties of the First Part have hereunto subscribed their names, all the day and year first hereinabove written.

Bert Hendricks
Bert Hendricks

Lorine Hendricks
Lorine Hendricks

State of Kentucky, Sct.
County of Muhlenberg,

I, John Webb, Muhlenberg County Court Clerk do hereby certify that the foregoing Deed of Conveyance from Bert Hendricks and his wife, Lorine Hendricks, to Sentry Royalty Company, a Nevada corporation, was this day produced to me in Muhlenberg County and acknowledged before me in due form of law by the said Bert Hendricks and his wife, Lorine Hendricks, parties Grantor thereto, to be their voluntary act and deed.

Given under my hand this the 15th day of April, 1955.

JOHN WEBB
MUHLENBERG COUNTY COURT CLERK

By Bert J. Jamell D.C.

State of Kentucky, Sct.
Muhlenberg County,

I, John Webb, Clerk of the Muhlenberg County Court, certify that the foregoing Deed was legally lodged in my office for record 4-19-55 and the same, the foregoing, and this certificate, have been duly recorded therein.

Given under my hand, this the 19 day of April 1955

John Webb CLERK

Bert Hendricks and wife,

TO: DEED

Sentry Royalty Company

RECORDED IN DEED BOOK 191

PAGE 389

FILED

1955 APR 19 AM 9:00

JOHN WEBB, CLERK
MULLENBERG CO. COURT
BY _____ D.C.

SAM T. JARVIS
ATTORNEY-AT-LAW
First State Bank Bldg.
GREENVILLE, KENTUCKY

7 10 Rew

1.4.11

016-400

THIS DEED OF CONVEYANCE, MADE AND ENTERED INTO THIS THE 27th DAY OF FEBRUARY, 1961, BY AND BETWEEN JIM GEARY AND HIS WIFE, SALLIE GEARY, OF MUHLENBERG COUNTY, KENTUCKY, PARTIES OF THE FIRST PART, AND SENTRY ROYALTY COMPANY, A NEVADA CORPORATION, AUTHORIZED TO DO BUSINESS IN THE STATE OF KENTUCKY, PARTY OF THE SECOND PART,

W I T N E S S E T H:

THAT FOR AND IN CONSIDERATION OF THE SUM OF ONE (\$1.00) DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION, CASH IN HAND PAID, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, THE SAID PARTIES OF THE FIRST PART HAVE BARGAINED AND SOLD AND DO BY THESE PRESENTS BARGAIN, SELL, ALIEN AND CONVEY UNTO THE PARTY OF THE SECOND PART, ITS SUCCESSORS, GRANTEES AND ASSIGNS WITH COVENANT OF GENERAL WARRANTY A TRACT OR PARCEL OF LAND SITUATED AND LOCATED IN MUHLENBERG COUNTY, KENTUCKY, AND DESCRIBED AS FOLLOWS, TO-WIT:



BEGINNING AT A STAKE, SASSAFRAS AND DOGWOOD POINTERS, A CORNER TO A 10 ACRE LOT AND THE ORIGINAL LINE; THENCE WITH THE LINE OF SAME N 31-15 W 710.5 FEET TO A STAKE, CORNER TO THE SAID LOT; THENCE N 43-30 E 479.5 FEET TO A STAKE IN THE ORIGINAL LINE; THENCE WITH SAME S 47 E 682.6 FEET TO A SWEET GUM, THE BEGINNING CORNER TO THE ORIGINAL SURVEY; THENCE S 43-30 W 671.1 FEET TO THE BEGINNING, CONTAINING 9 ACRES, MORE OR LESS.

THE ONLY MINERALS EXCEPTED FROM THIS CONVEYANCE TO SENTRY ROYALTY COMPANY IS THAT CERTAIN COAL IN THE UNDERLYING THIS LAND THAT WAS CONVEYED TO THE S-J COAL COMPANY BY DEED DATED SEPTEMBER 25, 1907, AND NOW OF RECORD IN THE OFFICE OF THE MUHLENBERG COUNTY COURT CLERK IN DEED BOOK 72, PAGE 135, AND

ALL OTHER COAL AND MINERALS ARE
CONVEYED TO SENTRY ROYALTY COMPANY.

THIS BEING THE SAME TRACT OF LAND
CONVEYED TO JIM GEARY BY SALLIE
GEARY (WIFE OF JIM GEARY), BY DEED
DATED OCTOBER 26, 1948, AND NOW OF
RECORD IN THE OFFICE OF THE MUHLEN-
BERG COUNTY COURT CLERK IN DEED BOOK
202, PAGE 408.

THIS CONVEYANCE COVERS AND INCLUDES
THE ABOVE DESCRIBED BOUNDARY AND
ANY AND ALL CONTIGUOUS OR ADJOINING
LANDS, MINERALS, ESTATES OR EASE-
MENTS OWNED BY THE PARTIES OF THE
FIRST PART, REGARDLESS OF ANY ERROR,
DEFECT, OMISSION OR IRREGULARITY
IN THE FOREGOING DESCRIPTION OR
TITLE REFERENCES.

TO HAVE AND TO HOLD THE ABOVE DESCRIBED
PROPERTY TOGETHER WITH ALL APPURTENANCES BELONGING OR
APPERTAINING THERETO UNTO THE PARTY OF THE SECOND PART,
ITS SUCCESSORS, GRANTEES AND ASSIGNS FOREVER, WITH
COVENANT OF GENERAL WARRANTY OF TITLE.

IN TESTIMONY WHEREOF THE PARTIES OF THE FIRST
PART HAVE HEREUNTO SUBSCRIBED THEIR NAMES THIS THE DAY
AND YEAR FIRST HEREINABOVE WRITTEN.

Witness to his Mark
Ben A. Foyenille
W. H. [Signature]

^{his}
Jim Geary
JIM GEARY / Mark

Sallie Geary
SALLIE GEARY / Mark

STATE OF KENTUCKY,)
) SS:
MUHLNBERG COUNTY,)

10
I, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR
THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT
THE FOREGOING DEED OF CONVEYANCE FROM JIM GEARY AND HIS
WIFE, SALLIE GEARY, TO SENTRY ROYALTY COMPANY, WAS THIS
DAY PRODUCED TO ME IN MY COUNTY AND ACKNOWLEDGED BY
JIM GEARY AND HIS WIFE, SALLIE GEARY BEFORE ME THAT THEY
SIGNED, SEALED AND DELIVERED SAID INSTRUMENT AS THEIR
FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND
PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS
THE 27th DAY OF FEBRUARY, 1961.



W. A. Topmiller
NOTARY PUBLIC, STATE OF KENTUCKY,
AT LARGE

MY COMMISSION EXPIRES May 24 - 1964

STATE OF KENTUCKY, SCT.
MUHLENBERG COUNTY.

I, JOHN WEBB, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT
THE FOREGOING *Deed* WAS LEGALLY LODGED IN MY OFFICE FOR RECORD,
March 1 - 9:56 AM AND THE SAME, THE FOREGOING, AND THIS
CERTIFICATE HAVE BEEN BY ME RECORDED.
GIVEN UNDER MY HAND, IN THE 1 DAY OF *March* 1961.

John Webb CLERK

FILED
1961 JUN 1 AM 9:06
JOHN WEBB, CLERK
MULLENBERG CO. COURT
BY _____
D.C.

RECORDED IN DEED BOOK

PAGE 68

pd.
222

JARVIS and CORNETTE

ATTORNEYS-AT-LAW
FIRST STATE BANK BUILDING
GREENVILLE, KENTUCKY

1.4.12

016-419

242

THIS DEED OF CONVEYANCE, made and entered into this the 21st day of June, 1961, by and between Frank Retzke and his wife, Bootie Retzke, formerly of Central City, Kentucky, but now of Desplains, Illinois, PARTIES OF THE FIRST PART; and Sentry Royalty Company, a Nevada corporation, authorized to do business in the State of Kentucky, PARTY OF THE SECOND PART:

W I T N E S S E T H:

That the said parties of the First Part, for and in consideration of the sum of ONE (\$1.00) DOLLAR and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and do by these presents bargain, sell, alien and convey unto the said party of the Second Part, its successors, grantees and assigns, the following described tract or parcel of land, consisting of 34 acres more or less, and all improvements thereon, situated about one-half mile Northeast of the City of Central City, on or near the waters of Nelson Creek, in Muhlenberg County, Kentucky, and particularly described as follows:

Beginning at a planted rock in old line and running N. 43-30 E. 2,025 feet to a rock in old line of old survey; thence with old line of old survey; thence with old line N. 45 degrees 30 minutes West 1,175 feet to a rock; thence S. 43 degrees 30 minutes W. 1,680 feet to a rock in the old line; thence S. 30 degrees E. 1,235 feet to the beginning, containing 50 acres, more or less.

The foregoing description has been copied from the deed referred to hereinafter, recorded in Deed Book 171, page 345.

There is excepted from the above described 50 acres, more or less, 16 acres, more or less, which has heretofore been conveyed out of such larger parcel



-1-



by G. W. Dennis, et ux., by deed dated January 16, 1937, and recorded in Deed Book 141, page 52, which excepted acreage is described as follows:

243

Beginning at a rock, corner of S. J. Gish estate, Henry Ralph and Southwest corner of G. W. Dennis; thence with line of Henry Ralph South 30 degrees E. 160 feet to a rock; thence with a new division line N. 60 degrees 15' E. 1,880 feet more or less to a new corner in line of Earl Ross; thence with Ross N. 15-30 W. 669 feet to stone corner of S. J. Gish estate in Earl Ross line; thence with the Gish line S. 43-30 W. 1,680 feet to the beginning.

TITLE REFERENCE

This being the same property conveyed to Frank Retzke and his wife, Bootie Retzke, and the survivor, by G. W. Dennis and his wife, Florence Dennis, by deed dated January 14, 1950, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 171, page 345.

MINERALS

All coal, oil, gas and other minerals in and underlying the above described lands, together with the right to mine and remove the same, are excepted and reserved only to the extent that the same may have been conveyed to 5-J Coal Company by Amos Wright, et ux., by deed dated September 25, 1907, and now of record in the said Clerk's office in Deed Book 72, page 135.

ADJOINING LANDS

This deed to Sentry Royalty Company covers, includes and conveys any and all lands, minerals (meaning coal, oil, gas and other minerals), estates or easements which the parties of the First Part, or either of them, may have, possess or own which may adjoin, underlie, or be contiguous to, the above described lands or the exception described thereto, regardless of any error, defect, irregularity or omission in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, the above described property, together with all the appurtenances thereunto belonging, or in any wise appertaining, unto the said party of the Second Part, its successors,

grantees and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the parties of the First Part have hereunto placed their hands, this the day and the year first hereinabove written.

Frank Retzke
Frank Retzke

Bootie Retzke
Bootie Retzke

STATE OF ILLINOIS)
COUNTY OF Cook) SCT.

I, the undersigned, a Notary Public in and for the state and county aforesaid, do hereby certify that on this date the foregoing Deed of Conveyance was produced to me in my said county and state by Frank Retzke and his wife, Bootie Retzke, and acknowledged by them before me in due form of law to be their free and voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and seal of office this the 23rd day of June, 1961.

My commission expires March 28th, 1965.

Carol A. Cukla
Notary Public



STATE OF KENTUCKY, SCT.
MUHLENBERG COUNTY, SCT.
I, JOHN WEBB, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING Deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD, June 24 - 11:39 AM AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THEREIN.
GIVEN UNDER MY HAND, THIS THE 27 DAY OF June 1961.

John Webb
CLERK

FRANK RETZKE AND HIS
WIFE, BOOTIE RETZKE,

TO: DEED

S. D. pd.
RECORDED IN DEED BOOK 224

PAGE 242

SENTRY ROYALTY COMPANY,
A NEVADA CORPORATION.

JAC
JARVIS & CORNETTE
ATTORNEYS AT LAW
FIRST STATE BANK BUILDING
GREENVILLE, KENTUCKY

1.4.13

016-622

541

THIS DEED OF CONVEYANCE, made and entered into this the 6th day of ~~March~~ ^{APRIL}, 1966, by and between SHEARLIE DANIEL and his wife, OLLIE DANIEL of Muhlenberg County, Kentucky, and JOHN R. DANIEL and his wife, OLIVE DANIEL of 2434 South Caslake Road, Keego Harbor, Oakland County, Michigan, Parties of the First Part, and SENTRY ROYALTY COMPANY, a Nevada Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE (\$1.00) DOLLAR, cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the said Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien and convey unto the said Party of the Second Part, its successors, grantees and assigns the following lot or parcel of land situated and located in or near Cleaton, Muhlenberg County, Kentucky, and described as follows, to-wit:



Beginning at F. R. Caskey's corner and running E. 152½ feet to the corner of Sherly Daniel lot; thence S. 712 feet to George Dennis' line; thence with George Dennis' line W. 152½ feet; thence N. 712 feet with F. R. Caskey's line to the place of beginning.

The above described lot or parcel of land being the same property conveyed to Shearlie Daniel, et al., by J. C. Hattaway, a single man, by deed dated September 22, 1964, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 252, Page 230.

MINERALS

All coal, oil, gas, and all other mineral, together with the right to mine and remove the same, are excepted and reserved only to the extent that the same were previously excepted and reserved by and unto T. A. Nalley in that deed dated April 19, 1902, unto J. C. Caskey and of record in the office of the Muhlenberg County Court Clerk in Deed Book 52, Page 236.

ADJOINING LAND, ESTATES & MINERAL

This conveyance unto Sentry Royalty Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas, and all other mineral, estates or easements, regardless of any defect, error, irregularity or omission in the foregoing property description or title reference.

TO HAVE AND TO HOLD, the above described lot or parcel of land, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said Party of the Second Part, its successors, grantees and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the said Parties of the First Part have hereunto caused this instrument to be executed, this the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH H. B. 73 ACTS OF 1962
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
CORNETTE & PAYTON, ATTORNEYS AT LAW, OLD FIRST
STATE BANK BUILDING, GREENVILLE, KENTUCKY.

BY William E. Payton
ATTORNEY AND MEMBER OF LAW

Shearlie Daniel
Shearlie Daniel

Ollie Daniel
Ollie Daniel

John R. Daniel
John R. Daniel

Olive Daniel
Olive Daniel

KENTUCKY, SCT
BERG COUNTY,
OFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FORE

WAS LEGALLY LODGED IN MY OFFICE FOR RECORD,
AND THE SAME, TH- FOREGOING, AND THIS
DATE HAVE BEEN DULY RECORDED THERE IN
UNDER MY HAND THIS THE
DAY OF

J. C. Noffsinger
CLERK



CLERK

J. C. Noffsinger
19 66

STATE OF KENTUCKY, SCT
MUHLENBERG COUNTY,
J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FORE
GOING
AND THE SAME, THE FOREGOING, AND THIS
DATE HAVE BEEN DULY RECORDED THERE IN
UNDER MY HAND THIS THE
DAY OF

Ed. 3.90

Filed:
1966 April 6, 2:30 P.M.
J.C. Hoffmeyer Clerk
Narrow McElroy M.C.

SHEARLIE DANIEL AND HIS WIFE,
OLLIE DANIEL AND JOHN R. DANIEL
AND HIS WIFE, OLIVE DANIEL

TO: DEED OF CONVEYANCE

SENTRY ROYALTY COMPANY

RECORDED IN DEED BOOK 252
PAGE 541

Rey.
JARVIS, CORNETTE, PAYTON & PAXTON
ATTORNEYS AT LAW
FIRST STATE BANK BUILDING
GREENVILLE, KENTUCKY

1.4.14

016-623

455

THIS DEED OF CONVEYANCE, made and entered into this the 29th day of March, 1966, by and between WILLIAM GEARY and his wife, LORENE GEARY, of Muhlenberg County, Kentucky, Parties of the First Part, and SENTRY ROYALTY COMPANY, a Nevada Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE (\$1.00) DOLLAR, cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien and convey unto the said Party of the Second Part, its successors, grantees and assigns, forever, the following lot or parcel of land situated and located in Muhlenberg County, Kentucky, and described as follows, to-wit:

Beginning at the corner of Hettie Sue Brasher's lot, running east 152-1/2 feet to the corner of Mrs. S. J. Devine's lot; thence with the line of Mrs. S. J. Devine's 712 feet to George Dennis' line; thence with Dennis' line 152-1/2 feet west to Hettie Sue Brasher's line; thence with her line 712 feet to the beginning.



There is excepted out of the above described lot or parcel of land the following acreage conveyed unto Paul S. DeArmond and his wife, Ruth DeArmond, or the survivor, by William Geary and his wife, Lorene Geary, by deed dated September 3, 1964, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 243, Page 113, and described as follows:

A16-595

Beginning at the corner of Mrs. S. J. Devine's lot and running with Mrs. S. J. Devine's line in a northerly direction 712 feet to George Dennis' line; thence with the Dennis' line in a westerly direction 65 feet to William Geary's line; thence in a southerly direction with William Geary's line 712 feet to his southeast corner; thence in an easterly direction 65 feet to the point of beginning.

The above described lot or parcel of land being the same property conveyed to William Geary and his wife, Lorene Geary, or the survivor, by Sherlie Daniel and his wife, Ollie Daniel, by deed dated July 7, 1964, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 243, Page 111.

MINERALS

All coal, oil, gas, and all other mineral, together with the right to mine and remove the same, are excepted and reserved only to the extent that the same were previously excepted and reserved by and unto T. A. Nalley in that deed dated April 19, 1902, unto J. C. Caskey and of record in the office of the Muhlenberg County Court Clerk in Deed Book 52, Page 236.

ADJOINING LANDS, ESTATES & MINERAL

This conveyance unto Sentry Royalty Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas, and all other mineral, estates, or easements, regardless of any defect, error, irregularity or omission in the foregoing property description or title reference.

TO HAVE AND TO HOLD, the above described lot or parcel of land, less the exception thereto, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said Party of the Second Part, its successors, grantees and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the said Parties of the First Part have hereunto caused this instrument to be executed, this the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH H. B. 73 ACTS OF 1962
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
CORNETTE & PAYTON, ATTORNEYS AT LAW, OLD FIRST
STATE BANK BUILDING, GREENVILLE, KENTUCKY.

BY William E. Payton
ATTORNEY AND MEMBER OF BAR

HIS
WILLIAM MARK GEARY
William Geary
Lorene E. Geary
Lorene Geary

WITNESSES TO MARK OF WILLIAM GEARY:

William E. Payton
Betty Wood

STATE OF KENTUCKY,
SS:
MUHLENBERG COUNTY,

457

I, the undersigned, a notary public in and for the county and state aforesaid do hereby certify that the foregoing deed of conveyance from William Geary and his wife, Lorene Geary, unto Sentry Royalty Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by William Geary and his wife, Lorene Geary, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 29th day of March, 1966.

William E. Parson
Notary Public,
State of Kentucky



My commission expires: 22 July 1968.

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING Deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD. 3-29-66 AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN 1:30 PM UNDER MY HAND THIS THE 29th DAY OF April, 1966.

J. C. Noffsinger
CLERK

3-29-66 1:30 PM

WILLIAM GEARY AND HIS WIFE,
LORENE GEARY

TO: DEED OF CONVEYANCE

SENTRY ROYALTY COMPANY

RECORDED IN DEED BOOK 252
PAGE 455

RETURN TO:

JARVIS, CORNETTE, PAYTON & PAXTON
ATTORNEYS AT LAW
FIRST STATE BANK BUILDING
GREENVILLE, KENTUCKY

1.4.15

016-639

203

THIS DEED OF CONVEYANCE, made and entered into this the 7th day of May, 1967, by and between PAYTON HENDRICKS and his wife, NORMA HENDRICKS, of Muhlenberg County, Kentucky, Parties of the First Part, and SENTRY ROYALTY COMPANY, a Nevada Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE (\$1.00) DOLLAR, cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien and convey unto the said Party of the Second Part, its successors, grantees and assigns, that certain tract or parcel of land situated and located on the waters of Nelson Creek in Muhlenberg County, Kentucky, and described as follows, to-wit:

Beginning at a stake on north line of road, corner to Lot No. 1; thence S. 84 E. 200.0 feet to a stake; thence with a new division line N. 1 W. 815.0 feet to a stake; thence S. 89 W. 113.0 feet to a stake; thence N. 1 W. 941.0 feet to a stake in the old line; thence with the old line N. 86-50 W. 200.0 feet to a stake, corner to Lot No. 1; thence with Lot No. 1 S. 1 E. 915.0 feet to a stake; thence N. 89 E. 110.0 feet to a stake; thence S. 1 E. 830.0 feet to the beginning, containing 8.0 acres.

This being the same tract or parcel of land conveyed unto Payton Hendricks and his wife, Norma Hendricks, or the survivor, by Payton Hendricks, by deed dated June 24, 1957, of record in the office of the Muhlenberg County Court Clerk in Deed Book 202, page 316.

MINERALS

All coal, oil, gas, and all other minerals, are excepted and reserved only to the extent that the same were conveyed unto the 5-J Coal Company by Nancy E. Stewart, a widow, by deed dated September 23, 1907, of record in the office of the Muhlenberg County Court Clerk in Deed Book 71, page 528.

ADJOINING LANDS, ESTATES & MINERALS

This conveyance unto Sentry Royalty Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas, and all other minerals, estates or easements, regardless of any defect, error, irregularity or omission in the foregoing property description or title references.

TO HAVE AND TO HOLD, the above described tract or parcel of land, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said Party of the Second Part, its successors, grantees, and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the said Parties of the First Part have hereunto caused this instrument to be executed, this the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH H. B. 73 ACTS OF 1962
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
CORNETTE & PAYTON, ATTORNEYS AT LAW, OLD FIRST
STATE BANK BUILDING, GREENVILLE, KENTUCKY.

BY William E. Payton
ATTORNEY AND MEMBER OF F.B.A.

Payton Hendricks

Payton Hendricks

Norma Hendricks

Norma Hendricks

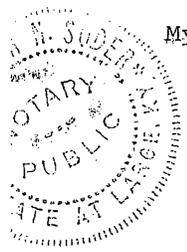
STATE OF Kentucky,
COUNTY OF Muhlenberg, SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing deed of conveyance from Payton Hendricks and his wife, Norma Hendricks, unto Sentry Royalty Company, was this day produced me in my county and state aforesaid by Payton Hendricks and acknowledged before him in due form of law to be his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 7th day of May, 1967.

Hester N. Soder
Notary Public

My commission expires: July 13, 1967



STATE OF Kentucky,
COUNTY OF Muhlenberg SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing deed of conveyance from Payton Hendricks and his wife, Norma Hendricks, unto Sentry Royalty Company, was this day produced me in my county and state aforesaid by Norma Hendricks and acknowledged before him in due form of law to be his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 7th day of May, 1967.

Hester N. Soder
Notary Public

My commission expires: July 13, 1967



STATE OF KENTUCKY, SCT;
MULLENBERG COUNTY,
J. C. NEFFSINGER, CLERK OF THE MULLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD, 5-19-67 3:00 p.m. AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE 22nd DAY OF May, 1967

J. C. Neffsinger
Clerk

21396

5-19-69 *Rec'd p.m.*

PAYTON HENDRICKS AND HIS
WIFE, NORMA HENDRICKS

TO: DEED OF CONVEYANCE

SENTRY ROYALTY COMPANY

RECORDED IN DEED BOOK 258

PAGE 213

6/14
JARVIS, CORNETTE & PAYTON
ATTORNEYS AT LAW
OLD FIRST STATE BANK BUILDING
GREENVILLE, KENTUCKY

1.4.16

016-662

4

THIS DEED OF CONVEYANCE, made and entered into this the 7th day of January, 1969, by and between WILLARD W. TEDFORD and his wife, ZELL E. TEDFORD, Parties of the First Part, and PEABODY COAL COMPANY, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of Eighteen Thousand Dollars (\$18,000.00), which sum represents the entire consideration paid, the receipt of all of which is hereby acknowledged, Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien and convey unto the Party of the Second Part, the following described tracts or parcels of land situated in Muhlenberg County, Kentucky and bounded and described as follows:

TRACT #1: Beginning at a sweet gum in the flats and running S 40 W 187 poles to a hickory and white oak; thence N 50 W 132 poles to a stake in the field; thence N 40 E 95 poles to a white oak in the field; thence N 50 W 48 poles to a sweet gum in the field; thence N 40 E 86 poles to a sweet gum; thence S 50 E 180 poles to the beginning, containing 180 acres.

There is reserved from the above described boundary and not included therein, the following described tracts or parcels of ground which have heretofore been sold, viz:

PARCEL A: A tract of land containing 60 acres has heretofore been sold to W. W. Bridges.

PARCEL B: A tract of land containing 10 acres has heretofore been sold to T. A. Nalley.

PARCEL C: A tract of land containing 14 acres has heretofore been sold to other parties.

PARCEL D: A tract of land containing 10 acres, more or less, lying on the East side of said tract of land above, and same having been heretofore sold to another party.

This is to certify that PROPERTY TRANSFER TAX of \$ 18,000.00 was collected this date 1-7-69
J. S. Hoffmeyer, Clerk
Muhlenberg County, KY

PARCEL E: A tract of land containing 50 acres, more or less, heretofore sold to another party, leaving a balance of said tract of land herein conveyed containing 36 acres, more or less.

16.3 Ac.

TRACT #2: Beginning at a rock, corner of S. J. Gish Estate, Henry Ralph and southwest corner of G. W. Dennis; thence with the line of Henry Ralph 330 degrees E. 160 feet to a rock to be planted; (a new division corner) thence with the new division line N 60-15 E 1880 feet, more or less to a new corner, (stone to be planted) in line of Earl Ross; thence with Ross N 45-30 W 669 feet (correct measurement on this line between fixed monuments, 695 feet) to stone, corner of S. J. Gish Estate in Earl Ross line; thence with the Gish line S 43-30 W 1,680 feet to the beginning.

Being the same property conveyed to Willard W. Tedford and his wife, Zell E. Tedford, by Luther Walton Hughes and his wife, Ada Mae Hughes, by deed dated November 15, 1955, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 195, page 57.

MINERALS

The coal and minerals in and underlying the above described acreage are excepted and reserved only to the extent that same were previously excepted and reserved by former deeds of record in the office of the Muhlenberg County Court Clerk.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title reference.

TO HAVE AND TO HOLD the above described tracts or parcels of land with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, we have hereunto set our hands this day first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 382.339.
THE FOREGOING INSTRUMENT WAS PREPARED BY J.A.V'S
CORNETTE & PATTON, ATTORNEYS AT LAW, OSBYAH
COURT BUILDING, GREENVILLE, KENTUCKY 42045.

J.A.V's
JAMES F. JARVIS, ATTORNEY AND MEMBER OF FIRM.

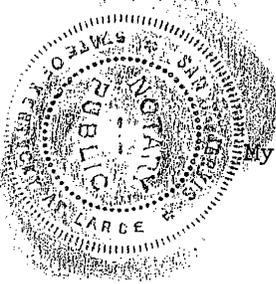
Willard W. Tedford
Willard W. Tedford

Zell E. Tedford
Zell E. Tedford

STATE OF KENTUCKY,
SS.
COUNTY OF MUHLENBERG,

I, the undersigned, a notary public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Willard W. Tedford and his wife, Zell E. Tedford, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by the said Willard W. Tedford and his wife, Zell E. Tedford, to be their voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 7th day of January, 1969.



Sam J. Lewis
Notary Public, State of Ky. at Large

My commission expires: May 20, 1971.

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,
I, J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FORE-
GOING Deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD.
1-7-69 3:00 p.m. AND THE SAME, THE FOREGOING, AND THIS
CERTIFICATE HAVE BEEN DULY RECORDED THERE IN Jan, 1969
GIVEN UNDER MY HAND THIS THE 10th DAY OF

J. C. Noffsinger
CLERK

1-7-69
3:00 p.m.

18.00
3.90
Pd.
day

WILLARD W. TEDFORD AND WIFE,
ZELL E. TEDFORD

TO: DEED OF CONVEYANCE

PEABODY COAL COMPANY

RECORDED IN DEED BOOK 269
PAGE 4

JARVIS, CORNETTE & PAYTON
ATTORNEYS AT LAW
10 BRYAN COURT BUILDING
GREENVILLE, KENTUCKY

1.4.17

016-668

33

THIS DEED OF CONVEYANCE, made and entered into this the 29th day of MAY, 1969, by and between HAZEL E. UNDERWOOD, a widow, of Central City, Muhlenberg County, Kentucky, Party of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of \$12,000.00, cash in hand paid, by said Party of the Second Part, to the Party of the First Part, the receipt of which is hereby acknowledged, the said Party of the First Part has bargained and sold and does by these presents bargain, sell, alien and convey unto the said Party of the Second Part, its successors, grantees and assigns, the following lots or parcels of land situated and located East of the City of Central City, Muhlenberg County, Kentucky, and described as follows, to-wit:

LOT #1: Beginning at an iron pipe in the road North 43-04 East 610.50 feet from the corner of L. E. Jackson and Sue Brasher, said pipe being the old corner of Sue Brasher and F. R. Caskey in line of Rogers Brothers Coal Company; thence with line of Rogers Brothers Coal Company North 43-04 East 100.00 feet to an iron pipe; thence North 30-56 West 75.00 feet to an iron pipe; thence South 43-04 West 100.00 feet to an iron pipe in the road; thence South 30-56 East 75.00 feet to the beginning.

LOT #1, above described, being the same property conveyed to Hazel E. Underwood by Lon William Riley and his wife, Ruby Riley, by deed dated July 9, 1964, of record in the office of the Muhlenberg County Court Clerk in Deed Book 242, page 246.

LOT #2: Beginning at a rock in the Southwest corner of the old line known as the Rudolph Kittinger line; running thence N 31 W 429 feet to a stake; thence N 43 E 305 and 25/100 feet in a new division line between the parties herein to a stake in the old line; thence S 31 E 429 feet to a stake; thence S 43 W 305 and 25/100 feet to the beginning containing three acres more or less.

This is to certify that PROPERTY TRANSFER TAX of \$12.00 was collected this date 5-29-69 J. C. [Signature] Clerk D.C.

There is excepted out of the above described 3 acres the hereinabove described Lot #1 being 75 feet x 100 feet.

LOT #2, above described, being the same property conveyed to Hazel Underwood, being one and the same person as the grantor, Hazel E. Underwood, by F. R. Caskey, Jr. and his wife, Jennie A. Caskey, by deed dated March 15, 1965, of record in the office of the Muhlenberg County Court Clerk in Deed Book 245, page 580.

34

All coal, oil, gas, and all other minerals are excepted and reserved only to the extent the same were excepted, reserved and retained by and unto T. A. Nalley in that deed dated April 19, 1902, to J. C. Kaskey recorded in the office of the Muhlenberg County Court Clerk in Deed Book 52, page 236.

ADJOINING LANDS, ESTATES, MINERALS & EASEMENTS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas, and all other minerals, estates or easements, regardless of any defect, error or irregularity in the foregoing property descriptions or title references.

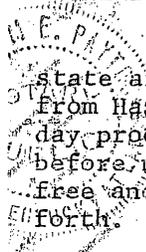
TO HAVE AND TO HOLD, the above described lots or parcels of land, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said Party of the Second Part, its successors, grantees and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the said Party of the First Part has hereunto caused this instrument to be executed, this the day and year first hereinabove written.

Hazel E. Underwood
Hazel E. Underwood

STATE OF KENTUCKY,
SS.
MUHLENBERG COUNTY,

CERTIFICATE OF COMPLIANCE WITH KRS 382.335
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
LOUIS BUILDING, GREENVILLE, KENTUCKY 42345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FIRM



I, the undersigned, a Notary Public in and for the county and state aforesaid do hereby certify that the foregoing deed of conveyance from Hazel E. Underwood, a widow, unto Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Hazel E. Underwood, a widow, to be her free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 29th day of May, 1969.

My commission expires:

William E. Payton

Deed 12.14

3.90

MAY 29 1969

2:10 P.M.

HAZEL E. UNDERWOOD, A WIDOW

TO: DEED OF CONVEYANCE

PEABODY COAL COMPANY

RECORDED IN DEED BOOK 271

PAGE 33

JARVIS, CORNETTE & PAYTON

ATTORNEYS AT LAW

OBRYAN COURT BUILDING

GREENVILLE, KENTUCKY

016-669

175

THIS DEED OF CONVEYANCE, made and entered into this the 10th day of June, 1969, by and between F. R. CASKEY, JR., and his wife, JENNIE A. CASKEY, of Central City, Muhlenberg County, Kentucky, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE THOUSAND FOUR HUNDRED (\$1,400.00) DOLLARS, cash in hand paid, by said Party of the Second Part to the Parties of the First Part, the receipt of which is hereby acknowledged, the said Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien and convey unto the said Party of the Second Part, its successors, grantees and assigns, the following lot or parcel of land situated and located East of the City of Central City, Muhlenberg County, Kentucky, and described as follows, to-wit:

Beginning at a rock in the Southwest corner of the old line known as the Rudolph Kittinger line; running thence N 31 W 712-6/10 feet to a rock; thence N 43 E 305-25/100 feet to a stake; thence S 31 E 712-6/10 feet to a stake; thence S 43 W 305-25/100 feet to the beginning, containing 5 acres.

There is excepted out of the above described 5 acre tract the following:

EXCEPTION #1: That lot conveyed to Mid-State Homes, Incorporated by F. R. Caskey, Jr. and his wife, Jennie A. Caskey, by deed dated May 13, 1961, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 224, page 49, and described as follows:

Beginning at a rock in the Southwest corner of the old line known as the Rudolph Kittinger line; running thence North approximately 75 feet to a stake; thence running East approximately 100 feet to a stake;

This is to certify that PROPERTY TRANSFER TAX of \$ 1.50 was collected this date, 6-11-69. F. R. Caskey, Jr. Clerk D.C.

EXCEPTION #2: That certain lot conveyed to Hazel Underwood by F. R. Caskey, Jr. and his wife, Jennie A. Caskey, by deed dated March 15, 1965, of record in the office of the Muhlenberg County Court Clerk in Deed Book 245, page 580, and described as follows:

Beginning at a rock in the Southwest corner of the old line known as the Rudolph Kittinger line; running thence N 31 W 429 feet to a stake; thence N 43 E 305 and 25/100 feet in a new division line between the parties herein to a stake in the old line; thence S 31 E 429 feet to a stake; thence S 43 W 305 and 25/100 feet to the beginning containing three acres more or less.

Note: The above described EXCEPTION #1 being a lot 75 feet by 100 feet is included within the boundary of the 3 acre lot described herein as Exception #2.

Being the same property conveyed to F. R. Caskey, Jr. and his wife, Jennie A. Caskey, and the survivor, by F. R. Caskey and his wife, Bertha Caskey, by deed dated July 9, 1960, of record in the office of the Muhlenberg County Court Clerk in Deed Book 223, page 30.

All coal, oil, gas, and all other minerals are excepted and reserved only to the extent the same were excepted, reserved and retained by and unto T. A. Nalley in that deed dated April 19, 1902, to J. C. Kaskey recorded in the office of the Muhlenberg County Court Clerk in Deed Book 52, page 236.

ADJOINING LANDS, ESTATES, MINERALS & EASEMENTS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas, and all other minerals, estates or easements, regardless of any defect, error or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, the above described lot or parcel of land, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said Party of the Second Part, its successors, grantees and assigns, forever, with Covenant of General Warranty of Title.

have hereunto caused this instrument to be executed, this the day
and year first hereinabove written.

F. R. Caskey, Jr.
F. R. Caskey, Jr.
Jennie A. Caskey
Jennie A. Caskey

STATE OF KENTUCKY,
SS.
MUHLENBERG COUNTY,

I, the undersigned, a Notary Public in and for the County
and State aforesaid, do hereby certify that the foregoing deed of
conveyance from F. R. Caskey, Jr. and his wife, Jennie A. Caskey,
to Peabody Coal Company, was this day produced to me in my county
and state aforesaid and acknowledged before me in due form of law
by F. R. Caskey, Jr., and his wife, Jennie A. Caskey, to be their
free and voluntary act and deed for the uses and purposes therein
set forth.

Given under my hand and seal of office, this the 10th
day of June, 1969.



William E. Payton
Notary Public, State of Ky.
at Large

My commission expires: 22 July 1972.

CERTIFICATE OF COMPLIANCE WITH KRS 382.335
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
JORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.

William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FRM

OF KENTUCKY, SCT;
MBERG COUNTY,

OFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FORE-
GOING INSTRUMENT WAS LEGALLY LODGED IN MY OFFICE FOR RECORD,
AND THE SAME, THE FOREGOING, AND THIS
INSTRUMENT HAVE BEEN DULY RECORDED THERE IN
UNDER MY HAND THIS THE 10th DAY OF June, 1969

J. C. Noffsinger
CLERK

PA 3.50

1.50

JUN 17 1969

8:00 A.M.

D.B. 271, PAGE 175

F. R. CASKEY, JR. AND HIS
WIFE, JENNIE A. CASKEY,

TO: DEED OF CONVEYANCE

PEABODY COAL COMPANY

JARVIS, CORNETTE & PAYTON
ATTORNEYS AT LAW
BRYAN COURT BUILDING
GREENVILLE, KENTUCKY

1.4.19

016-671

215

THIS DEED OF CONVEYANCE, made and entered into this the 3RD day of ~~May~~ JUNE, 1969, by and between FANNIE COLEMAN DIVINE, a widow (being one and the same person as Fannie Devine) of Central City, Muhlenberg County, Kentucky, Party of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of \$ 11,700.⁰⁰, cash in hand paid, the receipt of which is hereby acknowledged, the said Party of the First Part has bargained and sold and does by these presents bargain, sell, alien and convey unto the said Party of the Second Part, its successors, grantees and assigns, all other right, title and interest in and to the following described property situated and located near Central City, Kentucky, and described as follows, to-wit:

TRACT #1: Beginning at J. C. Caskey's S.E. corner in the line of Old Stroud line, running thence in a Northeasterly direction 43½ poles to a rock; thence N 18½ poles to a rock; thence S.W. 43½ poles to a rock, thence S 18½ poles to a rock at the beginning corner, containing five acres, more or less.

TRACT #1, above described, being the same tract conveyed to Fannie Coleman Divine by J. C. Caskey and his wife, F. B. Caskey, by deed dated February 4, 1924, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 117, page 382.

TRACT #2: Beginning at a stone corner of Caskey and Stroud heirs and running thence N 31 W 710 feet with Caskeys line to a stake corner to Mitchell; thence with Mitchells line N 43.30: E 640 feet to a fence post corner to Monroe McRoy thence with McRoy line S 24 E 740 feet to a stone corner to Stroud heirs thence with the line of the Stroud heirs S 43.30: W 537 feet to the beginning containing ten acres more or less.

TRACT #2, above described, being the same property conveyed to C. J. Divine (being one and the same person as S. J. Divine or S. J. Devine) and Fannie Divine by

This is to certify that PROPERTY TRANSFER TAX of \$ 12.00 was collected this date, 6/16/69. *[Signature]* Clerk

J. C. Caskey and his wife, F. B. Caskey, by deed dated February 7, 1923, of record in the office of the Muhlenberg County Court Clerk in Deed Book 117, page 172.

For further title references for the above described two tracts of land see conveyance from Joseph Devine, et ux. to Fannie Devine dated April 21, 1969, of record in the office of the said Clerk in Deed Book 271, page 208; Deed dated the 30th day of APRIL, 1969, from Allen Coleman Devine, et ux. to Fannie Devine, of record in the office of the said Clerk in Deed Book 271, page 211; and, Deed from Jake Devine, Jr., et ux. to Fannie Devine, dated the 12th day of APRIL, 1969, of record in the office of the said Clerk in Deed Book 271, page 212.

All coal, oil, gas, and all other minerals, are excepted and reserved only to the extent that the same may have been excepted, reserved, or conveyed away by former deeds of record in the office of the Muhlenberg County Court Clerk.

ADJOINING LANDS, ESTATES, MINERALS AND EASEMENTS

This conveyance to Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas, and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, the above described lots or parcels of land, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said Party of the Second Part, its successors, grantees and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the said Party of the First Part has hereunto caused this instrument to be executed, this the day and year first hereinabove written.

Fannie Coleman Divine
 Fannie Coleman Divine, being
 one and the same person as
 Fannie Divine and Fannie Devine

STATE OF INDIANA,

SS.

COUNTY OF TIPPECANOE,

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of

217

conveyance from Fannie Coleman Divine, a widow, unto Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Fannie Coleman Divine, a widow, to be her free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 3rd day of June, 1969.

Earl H. Kelley Jr.
Notary Public

My commission expires: October 18, 1969



CERTIFICATE OF COMPLIANCE WITH KRS 382.333
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FIRM

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

I, J. C. NOE SINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FORE-
GOING Deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD.
June 16, 1969 9:00 AM AND THE SAME, THE FOREGOING, AND THIS
CERTIFICATE HAVE BEEN DULY RECORDED THERE IN June, 1969
GIVEN UNDER MY HAND THIS THE 17 DAY OF June, 1969.

J. C. Noe Singer
Clerk

15.90 pd

FANNIE COLEMAN DIVINE,
a widow

TO: DEED OF CONVEYANCE

PEABODY COAL COMPANY

RECORDED IN DEED BOOK 271
PAGE 215

JARVIS, CORNETTE & PAYTON
ATTORNEYS AT LAW
O'BRYAN COURT BUILDING
GREENVILLE, KENTUCKY

1.4.20

025-226

DEED OF CONVEYANCE

DEED OF CONVEYANCE dated September 8, 1956, from ROXIE P. GISH, a widow, E. M. GISH, JR. and his wife, MARY T. GISH, E. B. GISH And his wife, LOIS GISH, S. C. GISH and his wife, ELIZABETH GISH, all of Central City, Muhlenberg County, Kentucky, (hereinafter called GRANTORS) to SENTRY ROYALTY COMPANY, a Nevada corporation, authorized to do business in the State of Kentucky, (hereinafter called GRANTEE).

51

1. In consideration of ONE DOLLAR (\$1.00), and other valuable consideration, the receipt of which is hereby acknowledged, GRANTORS have bargained and sold and do hereby bargain, sell, alien and convey unto GRANTEE, its successors in title and assigns, forever, with GENERAL WARRANTY, except as to (a) all minerals, including oil and gas, and (b) recorded easements, the following described real estate, located on and near Green River, in Muhlenberg County, Kentucky:

TRACT NO. 1: Beginning at an iron pipe corner to Devine, Gish and DePoyster; thence S. 56-19 E. 201.9 feet to a pipe; thence S. 24-28 W. for 1986.4 feet to an iron pipe corner to Gish and Devine; thence S. 60-39 E. for 304.0 feet to a corner in C. E. Wood's line; thence N. 33-02 E. for 47.7 feet to C. E. Wood's N.W. corner; thence S. 60-07 E. for 848.9 feet to a stake in the East R/W line of State Route #277; thence with said East R/W line S. 29-19 W. for 1033.3 feet to a stake; thence S. 60-05 E. for 535.3 feet; thence S. 14-47 W. for 956.7 feet to a corner with Gish and Mason; thence S. 28-28 E. for 1428.8 feet to a stake in a field; thence N. 47-38 E. for 2800.3 feet to a 24" catalpa corner to Gish and Fortney; thence N. 41-42 W. for 614.8 feet to an iron pipe, a Fortney and Gish corner; thence N. 13-41 E. for 1504.7 feet to a 2" iron pipe; thence N. 63-12 W. for 317.1 feet; thence N. 6-14 W. for 1357.0 feet to a stake in South R/W line of State Route #277; thence along said

South R/W line S. 86-29 W. for 228.4 feet; thence N. 23-48 W. for 222.9 feet; thence N. 65-43 W. for 419.1 feet to a point in the Center of a public road; thence N. 25-02 E. along the center of said public road for 233.98 feet; thence N. 60-17 W. for 236.0 feet along a line common to the Central City Water Works; thence N. 25-28 E. for 211.6 feet along said water works' line to a point on the south side of a public road, N. 68-32 W. for 322.4 feet to an iron pipe, N. 74-31 W. for 318.6 feet, N. 66-14 W. for 146.4 feet; thence crossing said public road N. 6-14 E. for 285.7 feet to the low water mark on bank of Green River; thence along said River Bank N. 80-16 W. for 685.9 feet to a point which is 42.5 feet from a 36" elm on River Bank, DePoyster's corner; thence S. 11-26 W. for 1019.2 feet to the place of beginning, containing 308.98 acres, more or less.

There is excepted from Tract No. 1, above described, the following 8 lots:

Lot No. 1: 2 acres, more or less, conveyed to Ernest Brown, by the Central Land Company, by deed dated June 29, 1937, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 152, page 520.

Lot No. 2: 0.47 of an acre, more or less, conveyed to George H. Dennis by Central Land Company, by deed dated October 9, 1943, and now of record in said Clerk's Office in Deed Book 196, page 169.

Lot No. 3: 0.47 of an acre, more or less, conveyed to Elizabeth Pointer, by the Central Land Company, by deed dated July 24, 1943, and now of record in said Clerk's Office in Deed Book 155, page 215.

52
Lot No. 4: 0.48 of an acre, more or less, conveyed to Fannie Mae Griffith, by the Central Land Company, by deed dated April 29, 1944, and now of record in said Clerk's Office in Deed Book 155, page 145.

Lot No. 5: 0.37 of an acre, more or less, conveyed to Tina Bertha Pointer, by Central Land Company, by deed dated November 4, 1947, and now of record in said Clerk's Office in Deed Book 166, page 417.

Lot No. 6: 1.01 acres, more or less, conveyed to Columbus Pointer, by Central Land Company, by deed dated March 15, 1921, and now of record in said Clerk's Office in Deed Book 199, Page 39.

Lot No. 7: 2.0 acres, more or less, conveyed to Green River Chapel, by James Weir, by deed dated August 5, 1904, and now of record in said Clerk's Office in Deed Book 61, page 15.

Lot No. 8: 4.41 acres, more or less, for right-of-way of Highway #277, not previously excluded from the boundary described hereinabove as Tract No. 1.

TRACT NO. 1, herein conveyed, contains 308.98 acres, less 11.21 acre exceptions, leaving a net acreage of 297.77 acres conveyed herein. A Plat showing Tract No. 1, and the exceptions of Lots Nos. 1 through 8 inclusive, is filed herewith as part hereof marked "A".

TRACT NO. 2: Beginning at a stone in the East line of the County Road, corner to property of Jennie Slayton; thence with Jennie Slayton's line N. 69-35 W. 830 feet to a stake; thence with a new division line S. 20-30 W. 418 feet to a stake in line of Heirs of Mary L. Atherton; thence S. 61-30 E. 1008 feet to a stake in East line of above road; thence N. 3-55 E. 580 feet to the beginning, containing 10 acres, more or less.

TO HAVE AND TO HOLD the said property unto GRANTEE, its successors in title and assigns, forever, with covenant of GENERAL WARRANTY OF TITLE.

2. The next immediate source of title from which GRANTORS derived title to the property, or the interest therein, conveyed by this DEED, is as follows:

Deed from Central Land Company, dated the 1st day of February, 1956, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 195, page 422.

IN TESTIMONY WHEREOF, the Grantors have executed this Deed on the day and year first hereinabove written.

53



Roxie P. Gish

 ROXIE P. GISH
E. M. Gish, Jr.

 E. M. GISH, JR.
Mary T. Gish

 MARY T. GISH
E. B. Gish

 E. B. GISH
Lois Gish

 LOIS GISH
S. C. Gish

 S. C. GISH
Elizabeth Gish

 ELIZABETH GISH

STATE OF KENTUCKY,
SCT.
MUHLENBERG COUNTY,

I, *L. M. Ross*, a Notary Public, within and for the County and State aforesaid, hereby certify that the foregoing DEED OF CONVEYANCE from Roxie P. Gish, et al., to Sentry Royalty Company, a corporation, was this day produced to me in my County and acknowledged before me in due form of law by the said Roxie P. Gish, a widow, E. M. Gish, Jr. and his wife, Mary T. Gish, E. B. Gish and his wife, Lois Gish, S. C. Gish and his wife, Elizabeth Gish, parties Grantor thereto, to be their voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office this the 8th day of September, 1956.

My commission expires: *Oct. 24 1958*



L. M. Ross

 Notary Public, Muhlenberg County, Kentucky
 L. M. ROSS, Notary Public
 Muhlenberg County, Ky.
 My Commission Expires Oct. 24, 1958

September 19 1956

91 September 6

ROXIE P. GISH, ET AL.

FILED

1956 SEP 19 AM 10.40

JOHN WEBB, CLERK
MUTUAL SUPPLY CO. COURT
BY _____ D.C.

TO: DEED

Sentry Royalty Company

199
51

Bill

SAM T. JARVIS
ATTORNEY - AT-LAW
First State Bank Bldg.

1.4.20

025-226

016-746

5.75 ac. out of 016-213

168.23 " " " 016-226

2.00 " " " 016-667

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed and delivered this the 12th day of December, 1990, by PEABODY COAL COMPANY, a Delaware corporation qualified to transact business in Kentucky, with its principal place of business at 301 North Memorial Drive, St. Louis, Missouri 63102, and PEABODY DEVELOPMENT COMPANY, a Delaware corporation qualified to transact business in Kentucky, with its principal place of business at 200 North Broadway, St. Louis, Missouri 63102 (collectively "Grantors") to COMMONWEALTH OF KENTUCKY FOR THE BENEFIT OF THE CORRECTIONS CABINET, State Office Building, Frankfort, KY 40601 ("Grantee").

W I T N E S S E T H:

WHEREAS, Grantee desires to receive from Grantors a donation of the real property ("Property") located in Muhlenberg County, Kentucky and more particularly described in Exhibits A and B attached hereto and incorporated herein by reference; and

WHEREAS, Grantors are willing to make such a donation of the Property on the terms and conditions set forth hereinafter.

NOW, THEREFORE, in consideration of the premises - there being no exchange of monetary consideration - Grantors do hereby quitclaim and donate to Grantee the Property subject to the following terms and conditions:

1. If Grantee has not begun construction of a state prison on the Property within five (5) years of the date hereof, Grantors shall have the right to re-enter the Property and the interest of Grantee therein shall thereafter cease and determine.

2. Grantors reserve, except and retain all of the coal underlying the Property and the right to extract said coal by underground mining methods to the extent allowed by applicable law. Grantors also reserve, except and retain all oil and gas and other minerals underlying the Property and the right to recover said minerals by drilling from locations other than on the surface of the Property.
3. Grantor, Peabody Coal Company, reserves, excepts and retains the right of exclusive possession to that portion of the Property marked as the Exclusive Possession Area on the attached Exhibit B. Without limiting the generality of the preceding language of this paragraph 3, Grantor, Peabody Coal Company, specifically reserves, excepts and retains the right to enter upon the Property with appropriate personnel and machinery as necessary or convenient to remove earthen materials from the areas marked as Areas A and B on the map attached hereto as Exhibit B and to deposit said earthen materials either on the area marked as Area C on said map or on any area owned or controlled by Grantor, Peabody Coal Company, outside of the boundaries of the property. The rights of Grantor, Peabody Coal Company, described in this paragraph 3 shall expire when all of Grantor's, Peabody Coal Company's, surface mining reclamation obligations with respect to the Property are fully and finally released and discharged.
4. Grantee acknowledges that the Property has been surface mined and may have been undermined. As a result, the Property may be rough, unstable and subject to shifting and

subsiding of material. Grantee has examined the Property to its satisfaction and, relying exclusively on such examination, accepts the Property "AS IS". Grantors have made and make no warranty or representation with respect to the Property.

TO HAVE AND TO HOLD, the above described Property unto Grantee, its successors and assigns, subject to the terms, conditions, reservations, exceptions and other provisions hereof, WITHOUT COVENANT OF WARRANTY.

IN WITNESS WHEREOF, Grantors have executed this QUITCLAIM DEED this the 12th day of December, 1990.

ATTEST:

PEABODY COAL COMPANY

By: R.M. Tans
Its: Asst. Secretary

By: M. Shultz *R.M.T. 12-7-90*
Its: Vice President

ATTEST:

PEABODY DEVELOPMENT COMPANY

By: Edward L. Sullivan
Its: Asst. SECRETARY

By: James W. Blackburn
Its: VICE PRESIDENT AND

STATE OF KENTUCKY)
) SS
CITY OF HENDERSON)

On this 12th day of DECEMBER, 1990, before me appeared G.S. SHIPLET, to me personally known, who, being by me duly sworn, did say that he is the VICE PRESIDENT of Peabody Coal Company, and that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed in behalf of the corporation by authority of its board of directors, and said R.H. TEW acknowledged the instrument to be the free act and deed of the corporation.

MARK R. WILLIAMS
NOTARY PUBLIC
KENTUCKY STATE AT LARGE
MY COMMISSION EXPIRES 7/31/94

Mark R. Williams
Notary Public

My commission expires: July 31, 1994.

STATE OF MISSOURI)
) SS
CITY OF St Louis)

On this 11th day of December, 1990, before me appeared James W. Blackburn, to me personally known, who, being by me duly sworn, did say that he is the Vice President of Peabody Development Company, and that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed in behalf of the corporation by authority of its board of directors, and said James W. Blackburn acknowledged the instrument to be the free act and deed of the corporation.

MICHAEL J. SMITH
NOTARY PUBLIC—STATE OF MISSOURI
CITY OF ST. LOUIS
MY COMMISSION EXPIRES DEC. 5, 1992

Michael J. Smith
Notary Public

My commission expires: 12/05, 1992.

[SEAL]

We hereby certify that the fair market value of the property conveyed hereby is \$ 52,773.00.

PEABODY DEVELOPMENT COMPANY

PEABODY COAL COMPANY

By: Robert Chittum

By: G.S. Saiflett

COMMONWEALTH OF KENTUCKY FOR THE BENEFIT OF THE CORRECTIONS CABINET

By: _____

STATE OF KENTUCKY)
COUNTY OF HENDERSON) SS.

The foregoing CONSIDERATION CERTIFICATE was acknowledged and sworn to before me, on this the 12th day of DECEMBER, 1990, by G.S. SAIFLETT on behalf of Peabody Coal Company.

MARK R. WILLIAMS
NOTARY PUBLIC
KENTUCKY STATE AT LARGE
MY COMMISSION EXPIRES 7/31/94

Mark R. Williams
Notary Public
My Commission Expires: 7/31/94

STATE OF KENTUCKY)
COUNTY OF HENDERSON) SS.

The foregoing CONSIDERATION CERTIFICATE was acknowledged and sworn to before me, on this the 12th day of DECEMBER, 1990, by ROBERT CHITWOOD on behalf of Peabody Development Company.

MARK R. WILLIAMS
NOTARY PUBLIC
KENTUCKY STATE AT LARGE
MY COMMISSION EXPIRES 7/31/94

Mark R. Williams
Notary Public
My Commission Expires: 7/31/94

COMMONWEALTH OF KENTUCKY)
COUNTY OF _____) SS:

The foregoing CONSIDERATION CERTIFICATE was acknowledged and sworn to before me, on this the ___ day of _____, 1990, by _____ on behalf of the Commonwealth of Kentucky for the benefit of the Corrections Cabinet.

Notary Public
My commission expires: _____

This Instrument Prepared By:

R.M. Tew
Ryan M. Tew
Attorney at Law
1951 Barrett Court
Henderson, KY 42420

RE11141

025-595

025-595

THIS DEED OF CONVEYANCE, made and entered into this the 25th day of September, 1964, by and between PAUL S. DeARMOND and his wife, RUTH DeARMOND of Muhlenberg County, Kentucky, parties of the First Part and SENTRY ROYALTY COMPANY, a Nevada Corporation, authorized to do business in the State of Kentucky, party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE (\$1.00) DOLLAR, cash in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, the said parties of the First Part have bargained and sold and do by these presents bargain, sell, alien and convey unto the said party of the Second Part, its successors, grantees and assigns the following tracts or parcels of land situated and located in Muhlenberg County, Kentucky, and described as follows, to-wit:



TRACT #1: Beginning at the corner of Mrs. S.J. Devine's lot and running with Mrs. S.J. Devine's line in a northerly direction 712 feet to George Dennis' line; thence with Dennis' line in a westerly direction 65 feet to William Geary's line; thence in a southerly direction with William Geary's line 712 feet to his southeast corner; thence in an easterly direction 65 feet to the point of beginning.



This being the same lot or parcel of land conveyed unto Paul S. DeArmond and his wife, Ruth DeArmond, or the survivor of them, by William Geary and his wife, Lorene Geary, by deed dated September 3, 1964, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 243, Page 113.



TRACT #2: Beginning at a stone at corner in old land and running S 48-10 W 585.75 feet to an iron stake; thence S 50-41 E 441.7 feet to an iron stake; thence N 18-33 E 355.9 feet to a catalpha stump; thence N 11-02 E 263.3 feet to an iron stake; thence N 42-34 W 102.1 feet to the beginning, containing 3.7 acres, more or less.

This being the same tract or parcel of land conveyed unto Paul Dearmond (being one and the same person as Paul S. DeArmond) and his wife, Ruth Dearmond, and the survivor, by Steve Dearmond and his wife, Manda Jane Dearmond, by deed dated June 24, 1947, and now of record in the office of the said Clerk in Deed Book 162, Page 632.

MINERALS

With respect to Tract #1, above described, all coal, oil, gas, and all other minerals, are excepted and reserved only to the extent that the same may have been previously excepted, reserved or conveyed away by former deeds now of record in



104

the office of the said Clerk.

With respect to Tract #2, above described, all coal, oil, gas and all other minerals, together with the right to mine and remove the same, are excepted and reserved only to the extent that the same were conveyed unto R. Martin & Brother, a partnership composed of Charles E. Martin, executor and trustee of the estate of R. Martin, deceased, and Charles E. Martin in his own right, by deed dated June 15, 1906, from Stephen DeArmond and his wife, Amanda Jane DeArmond, and now of record in the office of the said Clerk in Deed Book 64, Page 515.

ADJOINING LANDS

This conveyance unto Sentry Royalty Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas, and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, the above described tracts or parcels of land, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said party of the Second Part, its successors, grantees and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the said parties of the First Part have hereunto caused this instrument to be executed, this the day and year first hereinabove written.

Certificate of Compliance with H. B. 73 Acts of 1962
The foregoing instrument was prepared by Jarvis, Cornette, Payton & Paxton, Attorneys at Law, Old First State Bank Building, Greenville, Kentucky.

By William E. Payton
Attorney and Member of Firm

Paul S. DeArmond
Paul S. DeArmond

Ruth DeArmond
Ruth DeArmond

STATE OF KENTUCKY,)
(SS:
MUHLENBERG COUNTY,)

I, the undersigned, a notary public in and for the county and state aforesaid do hereby certify that the foregoing deed of conveyance from Paul S. DeArmond and his wife, Ruth DeArmond, unto Sentry Royalty Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Paul S. DeArmond and his wife, Ruth DeArmond, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 25th day of September, 1964.

W. H. Osterman
Notary Public, State of Kentucky
at Large

My commission expires: 26 Jan. 1966

PAUL S. DEARMOND AND HIS
WIFE, RUTH DEARMOND

TO: DEED OF CONVEYANCE

FILED

OCT - 3 9:32
JOHN WEBB, CLERK
SUPREME COURT
D.C.

SENTRY ROYALTY COMPANY

RECORDED IN DEED BOOK 242

PAGE 403

JARVIS, CORNETTE, PAYTON & PAXTON

ATTORNEYS AT LAW

FIRST STATE BANK BUILDING

GREENVILLE, KENTUCKY

THIS DEED OF CONVEYANCE made and entered into this the 19th day of September, 1955, by and between Flora Wiggins, Committee for James Howard Wiggins (who is one and the same person as James H. Wiggins), a single man, and a person of unsound mind, of South Carrollton, Muhlenberg County, Kentucky, party of the First Part, and Homestead Coal Company, a Kentucky corporation, party of the Second Part,

W I T N E S S E T H:

WHEREAS, the said James H. Wiggins, was by a jury of the Muhlenberg Circuit Court on September 4, 1942, adjudged a person of unsound mind, as shown by record in Lunacy Book, page 217, of the Muhlenberg Circuit Court, and Flora Wiggins, was by an order duly made and entered in the Muhlenberg County Court, on the 11th day of September, 1942, duly appointed and qualified as Committee for the said James H. Wiggins, as shown by Order in Order Book 25, page 247, in the Muhlenberg County Court Clerk's Office, and the said Flora Wiggins, is now the duly appointed, qualified and acting Committee for said James H. Wiggins,

NOW, therefore, the party of the First Part, Flora Wiggins, Committee for James Howard Wiggins (who is one and the same person as James H. Wiggins) a single person, and a person of unsound mind, for and in consideration of the sum of FOURTEEN THOUSANDEIGHT HUNDRED AND SEVENTY EIGHT DOLLARS (\$14,878.00), cash in hand paid, the receipt of which is hereby acknowledged, has this day bargained and sold, and she does hereby grant and convey unto the party of the Second Part, its successors in title and assigns, the following described property located in Muhlenberg County, Kentucky, and bounded as follows:



TRACT 1: That certain tract or parcel of land near to Central City, beginning at a maple, elm and hackberry on the bank of Nelson Creek near the end of a bridge; thence N. 78-15 W. 1135 feet to a mulberry; thence S. 24 W. 174 feet to a stone; thence S. 49 W. 165 feet to a stone; thence S. 47-45 W. 567 feet to a stone on the north side of the road; thence S. 63-30 E. 277 feet to a stone in the fork of the road; thence S. 7 W. 696 feet to a point in the road in line of Central Land Company and corner to C. H. Ralph; thence with his lands S. 67 E. 736 feet to a hickory; thence S. 6 E. 543 feet to a stake in the line of J. W. Ross, thence with Ross land N. 88-35 E. 2083 feet to a large sweet gum; thence leaving Ross N. 0-40 W. 1109 feet to a stone corner to George Doss, Jr., thence N. 89 W. 491 feet to a stone; thence N. 2 W. 808 feet to a stone; thence N. 88-15 W. 710 feet to the beginning, containing 112.1 acres.

The coal rights under the above described property are reserved only to the same extent that same has heretofore been conveyed by previous deed of record, which is hereby referred to and made a part hereof, the same as though fully copied herein.

TRACT 2: That certain tract or parcel of land lying near to Green River at "The Bluff", beginning at a gum tree where the land corners with S. J. Gish and J. W. Ross; and running thence with Gish line about 600 feet to a planted rock in Doss and Gish line at the present corner of Doss field at the mouth of the lane; thence in line with the Doss fence N. 86 E. 726 feet to a planted rock in the woods; thence at right angles 600 feet, more or less, to a planted rock; thence 726 feet to the beginning corner containing 10 acres.

There is excepted under the above described tract the coal and mineral rights to the extent and only to the extent that same have been heretofore conveyed by former deed of record, which is hereby referred to and made a part hereof.

Being the same property conveyed to James Howard Wiggins, by Leander Wiggins and his wife, Flora J. Wiggins, by deed dated June 22, 1936, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 140, page 185.

TO HAVE AND TO HOLD, the property hereby conveyed, together with all the appurtenances thereunto belonging, or in any wise appertaining, unto the party of the Second Part, its successors in title and assigns, forever, with Covenant of General Warranty of Title.

The party of the First Part, Flora Wiggins, Committee for James Howard Wiggins, a single man, and a person of unsound mind, warrants the title to the property hereby conveyed to be free and clear of all liens and encumbrances, in so far as she is permitted to make such warranty in her official capacity by law, but assumes no personal liability whatsoever.

5

IN TESTIMONY WHEREOF, the party of the First Part, Flora Wiggins, Committee for James Howard Wiggins, (who is one and the same person as James H. Wiggins) a single man, and a person of unsound mind, has hereunto subscribed her name, on this the day and year first hereinabove written.

Flora Wiggins
FLORA WIGGINS, COMMITTEE FOR JAMES HOWARD WIGGINS, (WHO IS ONE AND THE SAME PERSON AS JAMES H. WIGGINS), A SINGLE MAN, AND A PERSON OF UNSOUND MIND.

State of Kentucky, Oct.
County of Muhlenberg,

I, James L. Nash, a Notary Public, within and for the County and State aforesaid, hereby certify that the foregoing Deed of Conveyance from Flora Wiggins, Committee for James Howard Wiggins, (who is one and the same person as James H. Wiggins), a single man, and a person of unsound mind, to the Homestead Coal Company, a Kentucky corporation, was this day produced to me in my County by Flora Wiggins, Committee for the said James Howard Wiggins, and acknowledged before me in due form of law by the said Flora Wiggins, Committee for James Howard Wiggins, to be her act and deed, as Committee for the said James Howard Wiggins, a single man, and a person of unsound mind.

Given under my hand and seal of office this the 20th day of September, 1955.

My commission expires: July 25 1959



James L. Wash
Notary Public, Muhlenberg County, Ky.

The foregoing Deed of Conveyance has been presented in Court, examined by me, authorized and approved, this the 23rd day of September, 1955.

A. J. Bratcher
A. J. Bratcher, Judge
Muhlenberg Circuit Court

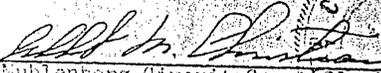
6

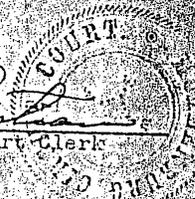
State of Kentucky, Sct.
County of Muhlenberg,

I, Albert M. Christian, Clerk of the Muhlenberg Circuit Court, do certify that the foregoing Deed of Conveyance from Flora Wiggins, Committee for James Howard Wiggins (who is one and the same person as James H. Wiggins), a single man, and a person of unsound mind, to the Homestead Coal Company, a Kentucky corporation, was authorized and approved by a Judgment of the Muhlenberg Circuit Court, in Civil Action, File No. 415, styled Flora Wiggins, Committee for James H. Wiggins, (who is one and the same person as James Howard Wiggins), a single person and a person of unsound mind, plaintiff, v. James H. Wiggins (who is one and the same person as James Howard Wiggins) a single man and a person of unsound mind, defendant, newly made and entered in the Muhlenberg Circuit Court on the 23rd day of September, 1955, in Civil Order Book 55, at page 316.

that said Deed was, on said day presented in the Muhlenberg Circuit Court, examined, authorized and approved by the Judge thereof, as shown by the foregoing certificate of said Judge, and ordered to be transmitted, duly certified, to the Clerk of the Muhlenberg County Court for record, which is now done accordingly.

Given under my hand and seal of office this the 23rd day of September, 1955.

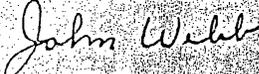

Muhlenberg Circuit Court Clerk



State of Kentucky, Sec.
Muhlenberg County,

I, John Webb, Clerk of the Muhlenberg County Court, certify that the foregoing Deed was legally lodged in my office for record 9-26-55 and the same, the foregoing, and this certificate, have been duly recorded therein.

Given under my hand, this the 27 day of Sept. 1955

 CLERK

1.4.23

016-745

384 652

THIS DEED OF CONVEYANCE, made and entered into on this the 19th day of October, 1987, by and between AMAX INC., a New York corporation, authorized to transact and conduct business in the Commonwealth of Kentucky, with offices at 251 North Illinois Street (Post Office Box 967), Indianapolis, Marion County, Indiana 46206-0967 ("AMAX"), and PEABODY COAL COMPANY, a Delaware corporation, authorized to transact and conduct business in the Commonwealth of Kentucky, with offices at 1951 Barrett Court (Post Office Box 1990), Henderson, Henderson County, Kentucky 42420-1990 ("PCC").

W I T N E S S E T H:

That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid by PCC to AMAX, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, AMAX has bargained and sold and does by these presents bargain, sell, grant and convey unto PCC, its successors, grantees and assigns, the following tracts or parcels of land, and interests therein, situated and located in Muhlenberg County, Kentucky, and described as follows:

See the attached EXHIBIT "1" for the metes and bounds descriptions, and title references, of the properties and interests therein conveyed by this deed and said exhibit is hereby referred to and made a part hereof for any and all purposes whatsoever.

TO HAVE AND TO HOLD, the above referred to and hereinafter described tracts or parcels of land, and interests herein,

300.00

gether with all the appurtenances thereunto belonging or appertaining thereto, unto PCC, its successors, grantees and assigns, with covenant of Special Warranty of Title. The term "Special Warranty of Title" shall mean that Grantor warrants only as against its own acts and against claims and demands of all persons claiming by, through or under it, but not otherwise.

IN TESTIMONY WHEREOF, AMAX has hereunto caused this instrument to be executed, by its proper Attorney in Fact, all pursuant to the authority and direction of its Board of Directors, on this the date first hereinabove written.

AMAX INC.

By: Wayne E. Gresham
Attorney in Fact

STATE OF INDIANA)
) SS
COUNTY OF MARION)

Before me, a Notary Public, in and for said County and State, this 19th day of October, 1987, personally appeared Wayne E. Gresham, known to me and known to be Attorney in Fact of AMAX Inc., a New York corporation, and he acknowledged that he executed the foregoing instrument in the name and for and on behalf of said corporation, pursuant to authority vested in him, as his free and voluntary act and deed and as the free act and deed of said corporation, for the uses and purposes of said instrument as therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal on the day, month and year aforesaid.

George L. Raymond
Notary Public

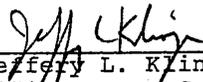
My Commission Expires:

County of Residence:

GEORGE L. RAYMOND
NOTARY PUBLIC STATE OF INDIANA
HAMILTON COUNTY
MY COMMISSION EXP. JUNE 16, 1991

384 654

This Instrument Prepared by:



Jeffery L. Klinger
1951 Barrett Court
P. O. Box 1990
Henderson, KY 42420-1990

384 655

EXHIBIT "1" TO CONVEYANCE
FROM AMAX INC. TO PEABODY COAL COMPANY

PARCEL #1

TRACT #1: Beginning at a stone in the original line, thence N 36 E 2524.5 feet to a stone in the line of W. A. Noffsinger; thence N 56 W 2640 feet to a stone, being also a corner of the Gibraltar Coal Company; thence S 36 W 478.5 feet to a stone, thence N 78 W 627 feet to a poplar and sassafras; thence S 25 W 1633.5 feet to a white oak, now a stump; thence S 81 E 858 feet to a white oak, now a stone; thence S 3-1/2 W 750 feet to a black oak and hickory; thence S 54-45 E 1980 feet to the beginning, containing 186 acres, more or less.

"There is excepted from the above described property, the following conveyances:

"One acre sold to C. L. Morehead for an air shaft, not to be any closer than 500 feet to any building.

"Six and one-half acres sold to T. E. Avery.

"Four acres sold to Emmet Casebier.

"There is excepted and not conveyed herein the coal and mineral rights heretofore conveyed to C. L. Morehead by deed dated November 1, 1899 and of record in Deed Book 49, page 132, reference being hereby made for a more specific description of same."

TRACT #2: Beginning at a white oak on the big road in Ed Howerton's line, running thence N 15 E 227.7 feet to a white oak; thence N 77 W 165 feet to a stake or rock, Howerton's line, with a black oak and dogwood marked as pointers; thence with Howerton's line S 21 E to the beginning, containing one acre, more or less.

Parcel #1 being the same property conveyed to Ayrshire Collieries Corporation by John W. Howerton and wife, Sarah M. Howerton, by deed dated November 25, 1960, of record in the office of the Muhlenberg County Court Clerk in Deed Book 221, page 79.

4

384 656

PARCEL #2

Beginning at a sugar maple tree, one of the old corners, and corner to property of Greenville Coal Company; thence with line of Greenville Coal Company S 74 degrees 00' E 399.0 feet to a stake in right-of-way line of Illinois Central Railroad; thence with said right-of-way line S 57 degrees 10' W 837.0 feet; thence N 32 degrees 50' W 15.0 feet; thence S 57 degrees 10' W 1221.0 feet to an iron pin in above right-of-way line and in property line of Gibraltar Coal Mining Company; thence with line of Gibraltar Coal Mining Company N 32 degrees 30' W 1045.0 feet to a stake, with black oak marked as pointer; thence with a new division line N 57 degrees 10' E 2486.0 feet to a stake; thence N 14 degrees 10' E 223.5 feet to a stake on West side of old road; thence with said road line S 39 degrees E 105.0 feet to a stake in old line and in line of Greenville Coal Company; thence with said old line S 14 degrees 10' W 1186.0 feet to the beginning, containing 51.5 acres.

"There is reserved and not conveyed by this deed all the coal, oil, gas and other minerals, with the right to mine and remove same."

Parcel #2 being the same property conveyed to Ayrshire Collieries Corporation by Herschel Noffsinger and wife, Rethal Noffsinger, by deed dated October 17, 1952, of record in the office of the said Clerk in Deed Book 180, page 105.

PARCEL #3

Beginning at an iron pin (formerly white oak, black oak and mulberry) an old patent corner and corner of Katie B. Reneer, Mabel Wolcott, and Gospel Advocate Co., thence with line of Katie B. Reneer N 89 W 3,696.0 feet to iron pin in line of Joe Ross Estate; thence S 32-30 E 2,860 feet to a stake with black oak pointer in the line of Gibraltar Coal Mining Co. and corner of Harrison Roach N 57-10 E 2486.0 feet to a stake in south side of old road; thence S 39 E 105 feet to a stake by gate in line of Greenville Coal Co., N 14-10 E 770 feet to an iron pin, corner to Gospel Advocate Co., thence N 48-30 W 304.5 feet to the point of beginning.

"All coal, oil, and gas are excepted, having been reserved by former deeds of record."

a

384 657

Parcel #3 being the same property conveyed to Ayrshire Collieries Corporation by Roy M. Johnson and wife, Grace E. Johnson, by deed dated March 30, 1953, of record in the office of the said Clerk in Deed Book 183, page 18.

PARCEL #4

TRACT #1: Beginning at a stake at the East corner to Emmitt Casebier; thence S 295 feet to a stake; thence W 592 feet to a stake; thence N 295 feet to a stake; thence East to the beginning 592 feet, containing 4 acres.

TRACT #2: Beginning at a stone in the 5th line of the party of the first part's boundary; thence S 45 E 596 feet to a stone; thence N 34 E 592 feet to a stone at the East corner of the yard; thence N 48 W 222 feet to a stone; thence N 68 W 144 feet to a stone at the horse lot; thence S 60 W 81 feet to a stone; thence N 73 W 118 feet to a stone; thence S 77 W 204 feet to a stone; thence N 69 W 110 feet to a stone in the first party's line; thence with said line S 25 W 156 feet to the beginning about 6.5 acres.

TRACT #3: Beginning at a stake in the line of the 117-1/2 acre tract, Jenkins corner, and running thence with a line of said 117-1/2 acre tract N 55 W 40 poles to an ash and white oak, corner of tract conveyed by T. L. Roll; thence N 40 E 20 poles to a stake, corner to Lot No. 3, Allen Heirs; thence N 4 E 30 poles to a white oak, Mary Davis corner; thence N 81 W with said line 52 poles to a white oak, Mary Davis corner; thence S 25 W 82 poles to a beech, white oak and black oak, in Noffsinger's line; thence with said line N 78-1/2 E 35 poles to a stone, corner to the 117-1/2 acre tract; thence with a line of said tract S 30 E 57 poles to a stake in the lane, Jenkins corner; thence with Jenkins line and call N 53-40 E 994.5 feet to the beginning, containing 36 acres, more or less.

"All mineral rights are reserved, also all coal and all other minerals reserved, under Tract #2."

Parcel #4 being the same property conveyed to Ayrshire Collieries Corporation by Emmitt Casebier and wife, Ora Casebier, by deed dated October 31, 1962, of record in the office of the said Clerk in Deed Book 232, page 12.

384

384 658

PARCEL #5

Beginning at a stone (old call) beech black oak and white oak in Noffsinger's line; thence with Emmit Casebier N 78 1/2 E 577.5 feet to a stone corner 117 1/2 acre tract; thence S 30 E 940.5 feet to a stake in lane, Jenkin's corner; thence on a new division line N 87-15 W 1724 feet to Rose, Byers and Black's common corner, (old call gum and maple), thence with Black property old call N 05 W 575 feet to Byers, Black and Rogers Bros. corner; old call stake, formerly white oak and elm; thence N 82 3/4 E 706.2 feet with Rogers Bros. line to the beginning, containing 25 acres, more or less.

"All coal and all other minerals and mining rights are hereby reserved to the extent that they have been reserved in former deeds of record."

Parcel #5 being the same property conveyed to Ayrshire Collieries Corporation by Clifton Byers and wife, Mable Byers, by deed dated October 14, 1955, of record in the office of the said Clerk in Deed Book 194, page 225.

PARCEL #6

Beginning at an iron pin, 250 feet from the Southwest corner of said tract and running thence S 82° 15' W 250 feet to a stake; thence N 9° W 250 feet to a stake; thence a straight line to the beginning.

Parcel #6 being the same property conveyed to American Metal Climax, Inc. by Clifton Byers and wife, Mable Byers, by deed dated January 8, 1970, of record in the office of the said Clerk in Deed Book 275, page 140.

PARCEL #7

Beginning at a white oak on a branch, one of the old corners and running thence N 04-45 E 890 feet to a stone; thence N 21-15 W 335.0 feet to a beech; thence N 14-30 W 630 feet to a stone in the center line of the county road; thence N 53-35 E 350 feet to a stone in the center line of said road; thence N 32-55 W 1149.50 feet to a stake, corner to Byers 25 acre tract; thence with line of Clifton Byers 25 acre tract N 87-1/4 W 1724 feet to a gum and maple the southwest corner of Byers 25 acre tract; thence

384 659

S 02-28 E 1665.0 feet to a stake; thence S 10-05 E 1530 feet to a hickory and beech, W. H. Noffsinger and Boswell tract corner, thence S 85 E 1000 feet to a stake; thence N 77-55 E 990 feet to the beginning, containing 155.59 acres.

"There is excepted from the above described tract a small triangular tract heretofore conveyed by Clifton Byers, et ux. to American Metal Climax, Inc. dated the 8 day of Jan., 1970 and of record in Deed Book 275, page 140, and described as follows:

"Beginning at an iron pin, 250 feet from the Southwest corner of said tract and running thence S 82-15 W 250 feet to a stake; thence N 9° W 250 feet to a stake, thence a straight line to the beginning."

Parcel #7 being the same property conveyed to American Metal Climax Inc. by Clifton Byers and wife, Mable Byers, by deed dated January 26, 1970, of record in the office of the said Clerk in Deed Book 275, page 142.

PARCEL #8

Beginning at a rock, R. R. McLean's corner and beginning corner of Muir's tract; thence N 88 W 2112 feet to an iron pin, the rock and oak called for gone, corner to J. H. Richardson land, now Rogers'; thence S 26 W 2772 feet with Richardson line to a rock, white oak, beech and dogwood marked as pointers; thence with T. L. Roll's and Moore's line, now W. A. Wickliffe Coal Company, S 76 E 1023 feet to a rock, an old black oak marked as a pointer; thence S 33 E 732.6 feet to a rock on the hill, white oak and persimmon marked as pointers; thence S 75 E 825 feet to a rock, three beeches, black oak and sassafras marked as pointers; thence N 78 E 3654.75 feet to a red oak, three white oaks marked as pointers and known as J. W. Sharp's corner; thence with J. W. Sharp's line N 12 E 990 feet to a rock, another of Sharp's corners, also corner to Preston Sharp surface; thence N 55 W 3184.5 feet to the beginning, containing 329 acres, more or less. But there is excepted from said boundary the right-of-way heretofore conveyed to the Elizabethtown & Paducah Railroad Company (now the Illinois Central Railroad Company), the right-of-way for U. S. Highway No. 62, and that part of the above described boundary lying North or

1

East of U. S. Highway No. 62, leaving 319.6 acres conveyed herein after deducting the above exceptions.

"There is also excepted and not conveyed herein all the coal and other minerals in and under said tract of land, together with the right to open a mine, or mines, for the mining and removing of said minerals, and the right of ingress and egress under and upon the surface of said minerals, which may be necessary for said purpose, together with the right to sink air shafts and other openings required for the aforesaid purposes, and with the right to take and use a sufficient quantity of the surface of said tract of land for any of the aforesaid purposes including the construction of tipples, sidings, railroad tracks, commissaries and other structures which may be needed in the conduct of mining operations for the removal of said minerals, but for any of the land so taken for such purposes, the then owner of the minerals shall pay to the party of the second part, its successors or assigns, the sum of \$50.00 per acre for the land so taken."

Parcel #8 being the same property conveyed to Ayrshire Collieries Corporation by Marshall Moore and wife, Helen Moore, by deed dated December 16, 1954, of record in the office of the said Clerk in Deed Book 195, page 244.

PARCEL #9

TRACT #1: Beginning at a walnut tree on side of road, old Uzzle and Howerton corner, running thence S 45-1/2 W 674 feet to a sycamore in branch; thence N 74 W 1138 feet to rock; thence N 5 W 1015 feet to a rock and willow (or a point near these objects), Peveler and Uzzle's corner; thence S 86 E 410 feet to a gum on ditch; thence N 1 W 580 feet to a small gum; thence N 70-1/2 E 275 feet to a rock; thence S 42 E 417 feet to a rock in McPherson's line (crossing a 20 foot strip which was planned to give access to remainder of land when 20-1/2 acres were sold to McPherson, said road is 538 feet North & South and 20 feet wide East and West); thence S 44 W 100 feet to rock, McPherson's corner; thence with his line S 49-1/2 E 1175 feet to his corner, a rock on West side of road E 1175 feet to his corner, a rock on West side of road and in the Howerton and Uzzle old line; thence S 2-3/4 W 385 feet to the beginning, containing 46.1 acres, more or less.

TRACT #2: Beginning at 2 black oaks, corner to Pearl Lewis' 53-1/2 acre tract and running thence N 70-28 E 754 feet to an iron pin, division corner between Sentry Royalty Company and Ayrshire Collieries Corporation; thence with said division line due S 1195 feet to an iron pin, also a division corner; thence N 84-48 W 915 feet to a rock and post oak on the bank of an old slough and in line of Pearl Lewis' 53-1/2 acre tract; thence with said tract N 03-49 E 900 feet to the beginning, containing 19.5 acres by survey.

"Tract #1 is subject to a reservation of all of the coal and minerals (except oil and gas) and mining privileges which were heretofore conveyed to the Nelson Creek Coal Company by Ralph Uzzle, et ux., by deed dated July 23, 1907, recorded in Deed Book 69, page 480, in the office aforesaid. Reference is hereby made to said deed for a more particular description of said minerals and mining privileges.

"Tract #2 is subject to a reservation of all of the coal, oil, gas and minerals of every kind and quality, which were heretofore conveyed to F. O. Funk and J. G. Cochran by Smith Cooperage Company by deed dated February 3, 1910, recorded in Deed Book 79, page 329 in the office aforesaid. Reference is hereby made to said deed for a more particular description of said minerals and mining privileges."

Parcel #9 being the same property conveyed to Ayrshire Collieries Corporation by Otto Howerton and wife, Alyce S. Howerton, by deed dated September 7, 1961, of record in the office of the said Clerk in Deed Book 225, page 170.

PARCEL #10

Beginning at a stake in old line 12 feet east of rock supposed to be a corner; thence S 43 W 600 feet to a stake in old line; thence N 47 W 400 feet to a stake thence N 13-1/2 E 200 feet to black gum, a line tree in the old line; thence with said old line S 87 E 660 feet to beginning, containing 4 acres, more or less.

"There is a 13 feet road (sketched on plat) reserved and not conveyed by this transaction. The area of this road is about 7000 square feet and has been deducted."

384 662

Parcel #10 being the same property conveyed to Ayrshire Collieries Corporation by Ella West, widow, by deed dated June 23, 1962, of record in the office of the said Clerk in Deed Book 229, page 395.

PARCEL #11

TRACT #1: Beginning at a stone, running thence in an Easterly course 33 rods and 6 feet to a stone; thence nearly North 25 rods and 4 feet to a stone; thence nearly West, and parallel with first line 33 rods and 6 feet to a stone; thence nearly South and parallel with second line 25 rods and 6 feet to a stone, the beginning corner.

550.5' x 416.5'
= 5.26 ac

TRACT #2: Beginning at a stone 16 feet from line between Wallace Uzzle and Clair Uzzle and 22 feet from line between Lizzie Walker and Clair Uzzle, said stone is N 84 degrees 30 E 27.0 feet from original corner of Clair Uzzle and Lizzie Walker; thence running with the North side of road between Clair Uzzle and Lizzie Walker S 39 degrees 30 E 391.0 feet to a stone opposite corner of Lizzie Walker and 22 feet therefrom; thence N 43 degrees E 168.5 feet to a stone, with hickory marked as pointer; thence N 39 degrees 30 W 391.0 feet to a stone, with dogwood marked as pointer and being 16 feet from line between Wallace and Clair Uzzle; thence S 43 degrees W 168.5 feet to the beginning, containing 1.5 acres.

"There is reserved in Tract #2 and not conveyed by this deed the No. 9 coal lying under same, it having been conveyed by former deed of record."

Parcel #11 being the same property conveyed to Ayrshire Collieries Corporation by Herbert J. Jessup and wife, Mattie Jessup, by deed dated June 23, 1962, of record in the office of the said Clerk in Deed Book 229, page 392.

PARCEL #12

FIRST: Beginning at a rock and an iron rod planted S. 87 E. 95 feet from a hickory tree marked as a pointer and also with old marks as a side line tree, running thence S. 43-56 E. 51 1/2 poles to a planted rock, Lizzie Walker's and Clair Uzzle's Southwesterly corner, passing her and Clair Uzzle's Northwesterly corner, a rock and an elm tree at 307 feet; S. 71 W. 18 poles to a rock and persimmon at

1

a gate; S. 1 E. 35-1/5 poles to a sweet gum on a branch; thence up the branch with its meanders and when reduced to a straight line N. 88-21 W. 24-3/10 poles to a rock planted on said branch, Clair, Wallace Uzzle and Charles Peveler's corner; N. 6 W. 11 poles to a stake in branch bottoms; N. 82 W. 35 poles to a planted rock on hillside; N. 4-54 E. 18-2/5 poles to a stake planted in a branch; under bluff bank, N. 83 1/2 W. 35-2/5 poles to a rock planted on bluff hillside in the old line; with the old line N. 3-20 W. 68 1/2 poles to a rock and ash tree; S. 86-46 E. 38-2/5 poles to a stake in the old line and on a small drain; with line of fence S. 2 W. 28 poles to a planted rock; S. 83-30 E. 36 1/2 poles to an elm tree; N. 12 1/2 E. 8 1/2 poles to a rock planted in line of fence; N. 4-46 E. 17 feet from a black oak tree marked as a pointer; S. 86-30 E. 66-1/5 poles to the beginning; containing 48 acres, 157 square rods, more or less.

"There is excepted and not herein conveyed a 13 foot road way conveyed by Ralph Uzzle to Ed Howerton.

"There is excepted from the above-described land, a tract or parcel of land, conveyed to Neal West and his wife, Ella West, by Wallace Uzzle and his wife, Reba Uzzle, by their deed dated January 9, 1946, and now of record in the Muhlenberg County Court Clerk's Office in Deed Book 183, Page 237, and bounded as follows:

"Beginning at a stake in old line 12 feet east of rock supposed to be a corner, thence S. 43 W. 600 feet to a stake in old line; thence N. 47 W. 400 feet to a stake; thence N. 13 1/2 E. 200 feet to black gum a line tree in the old line; thence with said old line S. 87 E. 660 feet to the beginning, containing 4 acres, more or less.

"There is reserved and excepted and not conveyed hereby all of the minerals and mining rights and privileges in and underlying the above described property."

SECOND: Beginning at a rock and sweet gum, Johns and Uzzle corner; thence N. 86 W. 594 feet with their line to a rock in same; thence S. 35 W. 117 feet to a rock, Jessup's corner; thence with his line S. 40 E. 384 feet to a rock, another of Jessup's corners; thence S. 39 W. 167 feet to a rock on the Howerton Road; thence S. 44 1/2 W. 660 feet to a stake; thence S. 49 1/2 E. 1180 feet to a

384 664

rock on South side of Road; thence N. 2-3/4 E. 1742 feet to the beginning, containing 20 1/2 acres, more or less.

"There is reserved out of this Boundary what is known as the HOWERTON ROAD (658 x 13 feet). There is also reserved a Road on East side of the 660 feet line that is 20 feet wide."

0.20 ac excl

0.30 ac excl

"There is reserved and excepted and not conveyed hereby all of the minerals and mining rights and privileges in and underlying the above described property."

THIRD: Beginning at a point in the Gibraltar Coal Company's line, which point is S 10 1/2° West 1110 feet from a stone on the South line of the Central City and Paradise Road, and is also the southwest corner of Tract No. 2 in the Deed from J. Hart to the W. A. Wickliffe Coal Company dated March 25, 1952, and recorded in Deed Book 185, Page 402, in the office of the Muhlenberg County Court Clerk; thence with the Gibraltar Coal Company's line South 10 1/2° West 1309 feet to its corner and a corner of John W. Noffsinger's tract; thence with Noffsinger's line South 52° East 2773 feet to Roll and Noffsinger's corner in Vaught's line; which corner is in the west right of way line of a public road, thence with the west right of way line of said road in a northeasterly direction, approximately North 40° 30' East, a distance of 1178 feet; thence North 53 1/4° West for 3413 feet to point of beginning, containing 83.54 acres, more or less.

"There is reserved and excepted and not conveyed hereby all of the minerals and mining rights and privileges in and underlying the above described property."

Parcel #12 being the same property conveyed to Ayrshire Collieries Corporation by Homestead Coal Company by deed dated August 1, 1955, of record in the office of the said Clerk in Deed Book 194, page 161.

PARCEL #13

TRACT #1: Beginning at a stone, Sarah A. Howerton's corner; thence S 70 E about 3135.0 feet to a stone in the flats, corner to Otto Howerton's 53.5 acre tract, in line of Sentry Royalty Company; thence with Sentry Royalty Company's line S 1/2 W 250.8 feet to a rock and white oak stump; thence S

22

33 W 462 feet to a rock in the line of Sentry Royalty Company and corner to another 53.5 acre tract owned by Pearl Lewis; thence N 70 W 3877.5 feet to a rock in the line of Otto Howerton's 46.1 acre tract; thence N 46-1/2 E 222.75 feet to a rock, corner to Otto Howerton's 53.5 acre tract; thence S 70 E 676.5 feet to a rock; thence N 20 E 511.5 feet to the beginning, containing 53.5 acres.

TRACT #2: Beginning at a rock in the line of Otto Howerton's 46.1 acre tract and corner to Tract #1 conveyed hereinabove, and running thence S 70 E 3877.5 feet to a rock in line of Sentry Royalty Company; thence S 33 W 165 feet to a large black oak, corner to Sentry Royalty Company and also corner to 19.5 acre tract this day conveyed by Otto Howerton to Ayrshire Collieries Corporation; thence S 8-1/2 W 940.5 feet to a white oak stump near Pond Creek; thence N 48 W 1617 feet to a maple and water beech, corner to Alyce Howerton's 19 acre tract; thence N 72 W 2079 feet to a sycamore, two gum pointers; thence N 58 W 379.5 feet to a rock in lane, corner to Alyce Howerton's 20.5 acre tract; thence N 3-3/4 E 343.2 feet to a rock in lane; thence N 46-1/2 E 181.5 feet to the beginning 53.5 acres.

"There is excepted from Tract #1 of this conveyance all of the coal in, and underlying the above described property, which coal was conveyed to E. M. Gish, S. J. Gish and S. C. Gish, by Pearl Lewis, nee Howerton, by deed dated March 10, 1924, and now of record in the office of the said Clerk in deed Book 131, page 109.

"There is excepted from Tract #2 of this conveyance all of the coal, in and underlying the above described property, which coal was conveyed to E. M. Gish, S. J. Gish, S. C. Gish, by Sarah A. Howerton, widow, by deed dated March 10, 1924, and now of record in the office of the said Clerk in Deed Book 131, page 113."

All of her right, title and interest (being an undivided 1/3 interest) in and to the following described tract of land is conveyed herein:

TRACT #3: Beginning on a sweet gum and beech marked as corner in the North line of the Philip Yonts survey, running with said line due West 759 feet to a stone set on the West side of the road leading from Rockport to Albert Johnson; thence S 5 W 363 feet to a planted rock; thence due East 759 feet to

384

666

a planted rock, two black oaks and a hickory marked as pointers; thence N 5 E 363 feet to the beginning, containing 6 acres, more or less.

"There is also conveyed herein all of the right, title and interest of the party of the first part in and to any roadways or easements granted for access to the above described property."

Parcel #13 being the same property conveyed to Ayrshire Collieries Corporation by Pearl Lewis, widow, by deed dated September 7, 1961, of record in the office of the said Clerk in Deed Book 225, page 176.

PARCEL #14

Beginning at a Sassafras tree at the corner of Martha Pickett 19.2 acre tract and in line of a parcel sold by James Bastin to Posey Stewart, thence with the line of the Stewart tract N 88° W 304 feet to a stake in the old line; thence N 16 1/2° E 149 feet to a stake; thence N 29 1/2° E 520 feet to a white oak or stake in the Greenville Coal Company line (now Sentry Royalty Company); 607 feet to a stake another corner of Greenville Coal Company; thence N 4° E 1538 feet to a iron stake in the line of Greenville Coal Company; thence S 19° W 2510 feet to a stake in the line of the Heck track (now Rogers Brothers); thence with a line of said Heck tract S 56° E 1690 feet to the beginning containing 41.5 acres, more or less.

"The coal, oil, gas and other minerals are excepted and reserved as set out in the Deed from S. J. Merritt, trustee in bankruptcy of the estate of the Nelson Creek Coal Company, a Kentucky corporation to James Bastin by Deed dated April 22, 1940 and of record in Deed Book 146, page 1."

Parcel #14 being the same property conveyed to Ayrshire Collieries Corporation by Billy W. Sharp and wife, Oleda M. Sharp, by deed dated July 25, 1967, of record in the office of the said Clerk in Deed Book 259, page 106.

PARCEL #15

Beginning at an iron stake in the East right of way line of the Nelson-Ceralvo Road at the northwest corner of a 1.06 acre lot formerly owned by Sam Jarvis; thence with the Nelson-Ceralvo Road North

2

384 667

23° 30 minutes East 325 feet to an iron pin in the South right of way line of the Illinois Central Railroad; thence with the right of way line of said railroad South 78° 30 minutes East 1070 feet to an iron pin; thence with a new division line South 15° 45 minutes West 1253 feet to an iron pin, Cartwright's southeast corner; thence North 11° 30 minutes East 396 feet to an iron pin, old corner in A. T. Howerton tract; thence North 79° West 558.9 feet to an iron pin, southeast corner of the Dewey Cartwright 2.6 acre tract; thence with the Dewey Cartwright tract North 23° West 300 feet to an iron pin, another corner; thence still continuing with the Cartwright tract North 70° 45 minutes West 118.1 feet to an iron pin southeast corner to the 1.06 acre Jarvis lot; thence North 22° 15 minutes East 250 feet to an iron pin, another corner of the Jarvis lot; thence continuing with the Jarvis lot North 70° 45 minutes West 181.2 feet to the beginning, containing 15.1 acres by survey.

"The surface rights only are conveyed by this deed, all coal, oil, gas and all other minerals have heretofore been sold by former deeds of record, which are hereby referred to and made a part hereof."

Parcel #15 being the same property conveyed to Ayrshire Collieries Corporation by Dewey Cartwright and wife, Carrie Cartwright, by deed dated March 24, 1969, of record in the office of the said Clerk in Deed Book 270, page 62.

PARCEL #16

A strip of land of even width, 100 feet on each side of the following described centerline:
Beginning at an iron pipe, 4 feet East of a 30-inch gum in the East-West property line between Ayrshire Collieries Corporation's 126.5 acre Roy Johnson tract and Katie B. Reneer, which iron pipe is N 88-20 W 3231 feet (old call S 86 W) from a 1 1/4 inch iron axle at a root wad, corner to Rogers, Ayrshire Collieries Corporation and Katie B. Reneer; thence N 02-14 W 858.4 feet across the lands of Katie B. Reneer to another iron pipe near a 10-inch elm and 18-inch gum on the South side of a ditch in the East-West property line between Ayrshire Collieries Corporation's 77-acre Luther Faught tract and Katie B. Reneer, which iron pipe is approximately 477 feet East of Katie B. Reneer's

or

384 668

Northwest corner. Said tract of land contains 3.94 acres and extends from the Roy Johnson tract on the South to the Luther Faught tract on the North.

"The surface only is conveyed herein; all minerals and mineral substances are hereby reserved by the party of the first part, her heirs and assigns.

"The party of the first part expressly reserves the right of egress and ingress over the above described tract of land to and from certain lands owned by her lying on the East and West side of the tract conveyed herein. Provided, however, that the party of the second part, its successors and assigns shall not be liable to the party of the first part, her agents, servants, tenants, or any person using said right and privilege against all claims, demands, actions or causes of action arising or growing out of any loss of or damage to property, to injury to or death of persons which may be due in any manner to the use and exercise of said privilege."

Parcel #16 being the same property conveyed to Ayrshire Collieries Corporation by Katie B. Reneer, a single woman, by deed dated August 8, 1953, of recorded in the office of the said Clerk in Deed Book 184, page 229.

PARCEL #17

TRACT #1: Beginning at an old corner, gum and maple; corner to Joseph Milligan; thence N 4 W 52 poles to a rock marked B. B.; thence S 4 E 52 poles to a small dogwood, black gum and hickory in Milligan's line; thence with same S 86 W 154 poles to the beginning, containing 50 acres, more or less.

TRACT #2: Adjoining the above tract and situated on the South corner of the original survey owned by B. B. Bailey; and beginning at a rock near a maple and beech, corner to John Brinkham's survey, and running thence N 86 E about 70 poles to the old line to a red oak, elm, and hickory; thence S 4 E 52 poles to the old corner of the original survey; a mulberry; thence S 86 W about 70 poles to Brinkman's corner in the old line, a dogwood, black gum, and hickory; thence with Brinkman's line to the beginning.

"The party of the first part reserves unto herself, her heirs and assigns, all of the oil and gas in and under said property described hereinabove.

"There is excepted 3.94 acres of surface heretofore conveyed to the party of the second part by the party of the first part. This conveyance is further subject to an easement heretofore conveyed to the party of the second part by the party of the first part covering 6.6 acres. However, it is the intent and purpose of this conveyance to convey to the party of the second part, its successors and assigns, all rights and privileges, including the right of reverter, for non-user, retained in said Deeds by the party of the first part, except the oil and gas which is reserved by reservation set out hereinabove."

Parcel #17 being the same property conveyed to Ayrshire Collieries Corporation by Katie B. Reneer, a single woman, by deed dated May 20, 1955, of record in the office of the said Clerk in Deed Book 206, page 243.

PARCEL #18

TRACT #1: All land in the Holt Area lying between the West right-of-way line of old Highway #70 and the East right-of-way of the Holt Mine Road and all property lying East of Highway #431 in Bevier and Nonnell, (except Map Tracts #2 and #3 and the tracts heretofore conveyed), as more particularly described as beginning at the intersection of Kentucky Highway 70 and Highway 431; thence following Kentucky Highway 70 in a southeasterly direction to an iron stake in the south right-of-way line of Highway 70 (formerly #81), Robert Draper corner; thence with his line south 40 degrees 30 minutes west 160 feet to an iron pin, corner of Watkins Lot and Rogers; thence with Rogers' line south 41 degrees 30 minutes east 364 feet to an iron stake corner to Rogers and Watkins; thence with Rogers' line in a southwesterly direction 125 feet, more or less, to a black gum, Draper corner; thence southwesterly with Burlen Keeling's north line 365 feet to Keeling's northwest corner; thence south 82 degrees west 662 feet to the northwest corner of Burlen Keeling; thence north 40 degrees west, passing John Barnett's corner at 547 feet; 617 feet to a rock and a hickory; thence north 26 degrees 30 minutes west 732 feet to the northeast corner of James McRoy; thence continuing north 26 degrees 30 minutes west

2

595 feet to the north corner of John Whitehead also a corner to Rogers; thence south 75 degrees west 775 feet with Whitehead and Rogers to a rock in Whitehead's northwest corner; thence south 19 degrees east, along the east line of Lots 23 and 24, 244 feet to the northeast corner of Willie Parker; thence south 80 degrees west 350 feet to a rock in the Central City and Drakesboro Road; thence northwest with said road to the east right-of-way line of Highway 431; thence northerly with the east right-of-way line of said Highway 431 to the place of beginning, containing 98.00 acres, more or less. (Part of Map Tract 300 and 309)

TRACT #2: All of the land lying south of the Western Kentucky Parkway and East of the following division line:

Beginning at the East line of the Boswell Tract #231 and running to the Byers Tract #223, and running thence with the south line and the west line of the Byers Tract #223 to Rogers Tract #200 and running then with the East line of Rogers Tract #200 to a corner of the Howerton Tract #213 nearest to the Peabody Tract #400-C-7 lying south of the Western Kentucky Parkway and thence a straight line across Tract #200 to the Peabody Tract #400-C-7, as more particularly described as beginning at a white oak, the Buskill corner, thence at the Buskill line north 21 degrees west 164 poles to the Paradise Road; thence with said road north 82 degrees east 10 poles; thence north 57 degrees east 8 poles; thence with the old roadbed north 76 degrees east 18 poles; thence south 76 1/2 degrees east 16 poles; thence north 59 degrees east 5 poles and 10 links to a stake in the Paradise Road; thence north 23 1/2 degrees west 30 poles to a stake in the Rockport Road; thence north 16 degrees west 14 poles and 10 links to a stake in the old line; thence south 88 3/4 degrees east 72 poles and 10 links to two chestnuts; thence south 7 1/2 degrees east 118 poles to a stake in the Spence line, formerly beech, black gum and hickory; thence north 35 1/2 degrees east 23 poles and 5 links to a white oak, the Spence corner; thence south 72 degrees east 63 poles and 5 links to a poplar in Sharp's line; thence south 10 1/2 degrees west 54 poles and 5 links to a rock; thence south 29 degrees west 14 1/2 poles to a rock near a spring; thence south 79 1/2 degrees east 5 poles to a rock; thence south 10 1/2 degrees west 108 poles and 10 links to a rock; thence north 41 degrees west to the place of beginning.

"Except that portion of the above-described property lying north of the south right-of-way line of the Western Kentucky Parkway. Containing after said exception 168.38 acres, more or less. (Part of Map Tract #200).

"The surface only is conveyed herein. All coal, oil, gas and all other minerals are hereby reserved and excepted.

"The Party of the Second Part shall have the right of ingress and egress to the above-described property over and across any existing roads on the adjoining property of the Parties of the First Part."

Parcel #18 being the same property conveyed to Amax Inc. by Talmage G. Rogers, Jr., et al. by deed dated November 29, 1984, recorded in the office of the said Clerk in Deed Book 365, page 242.

PARCEL #19

Beginning at a stone in the line of Ed Frost's Elax Tinsley 138.8 acre tract and the Southwest corner of Sallie Sharp's 235 acre tract; thence with a line of same N 32-15 W 2742 feet to an elm in the Sharp line and corner to Rose land; thence with Rose land S 42-45 W 316 feet to a sweet gum Northeast corner of Ed Frost's Elax Tinsley 134.7 acre tract; thence with a line of said tract S 22 E 2834 feet to a sweet gum; thence N 51-10 E 853 feet to the place of beginning, containing 36.1 acres.

"The surface only is conveyed herein. All coal, oil, gas, and all other minerals are hereby reserved and excepted."

Parcel #19 being the same property conveyed to Amax Inc. by Talmage G. Rogers, Jr., et al. by deed dated June 28, 1979, of record in the office of the said Clerk in Deed Book 335, page 378.

PARCEL #20

TRACT #1: Beginning at an iron pin in what was formerly known as Dr. McLean's old line, and running thence S 26-34 W 2775 feet to a stone, formerly known as Arnett's corner; thence N 75-45 W 2398 feet to an iron pin, formerly known as Warren Davis corner; thence S 14 W 780 feet to an iron pin; thence N 48-30 W 304.5 feet to an iron pin at

a point formerly known as Henry Davis corner; thence N 0-45 W 1664 feet to the S.W. corner of the two acres of surface conveyed by W. R. McDowell to Pratt Mabry; thence N 0-45 W with Mabry's line 440 feet to a rock, Mabry's N.W. corner; thence N 0-45 W 1103 feet to a stake in what was formerly known as William McLean's line; thence S 85-45 E 2281 feet to a white oak stump; thence S 4-15 W 465 feet to an elm in what was formerly known as Dr. McLean's line; thence S 86 E 1797 feet to an iron pin, the point of beginning, and containing 211.7 acres, but there is excepted from this boundary one acre conveyed to the Methodist and Cumberland Presbyterian Churches, jointly.

"There is also reserved and not conveyed herein two acres of surface formerly conveyed to Pratt Mabry by W. R. McDowell."

TRACT #2: Beginning at a beech stump on the West Side of the Illinois Central Railroad right of way in the James Tinsley 200 acre patent line, and running thence with the line of said patent S 51-10 W 2003 feet to a gum and elm, passing a planted rock, corner to Sharp and Stroud, at 1150 feet; thence N 22 W 2834 feet with the line of James Tinsley's 110 acre survey to a sweet gum; thence S 43-30 W 1981 feet to a shellbark hickory in the line of said patent; thence with the patent line S 44-20 E 2777 feet to a hickory and beech stump, corner to said patent; thence N 52-15 E 948 feet to a beech and sweet gum stump, corner to said patent; thence with the line of James Tinsley's 200 acre patent S 39-20 E 1338.5 feet to the West edge of the Illinois Central right of way; thence in a Northern direction and with a four degree curve to the left with said edge of said right of way 749 feet to a stake in said edge of said right of way; thence N 2 W 166 feet to a stake in said edge of said right of way; thence crossing said right of way S 87-20 E 510 feet to a stake; thence N 2 W 644 feet to a stake; thence N 87-20 W 510 feet, crossing said right of way to a stake in the West edge of said right of way; thence N 2 W 344 feet with said edge of said right of way to the beginning of a six degree curve to the right; thence with said edge of said right of way on said curve 727 feet to the beginning, containing 139.3 acres.

"There is, however, reserved from this tract the right of way of the Illinois Central Railroad, containing 4.6 acres."

TRACT #3: Beginning at a hickory corner marked "A" on the plat; thence S 48 E 168 poles to a hickory and beech on Baxter's line; thence S 43 W 193 poles to a stake near a small cedar; thence N 47 W 153 poles and 8 links to a rock on Kittinger's corner; thence N 40 E 192 poles to the beginning, containing 198 acres.

"The surface only is conveyed herein. All coal, oil, gas, and all other minerals are hereby reserved and excepted."

Parcel #20 being the same property conveyed to Amax Inc. by Talmage G. Rogers, Jr., et al. by deed dated June 23, 1979, of record in the office of the said Clerk in Deed Book 334, page 850.

PARCEL #21

Beginning at a rock in old line in front of Hill House, corner to J. C. Batsel 37 acre tract, Newton Belcher 100 acre tract and J. C. Batsel 212 acre tract and running thence with the road S 84-30 W 246 feet to a stake planted S 3-53 W 13 feet from a small black oak tree marked as a pointer, corner to McElvain 90 acre tract; thence with five lines of the McElvain 90 acre tract N 3-53 E 907.5 feet to a planted rock; thence S 79-30 W 625.5 feet to a planted rock in line of fence; thence with line of fence N 13-53 W 412 feet to a planted rock at gate post; thence S 71 W 111.75 feet to a planted rock at fence corner post; thence N 13-25 W 2107.5 feet to a rock planted in the old line with the bottoms across the creek in the line of James Tudor 80 acre tract; thence with Tudor line N 43-07 E 227.5 feet to a black gum, corner to John Noffsinger 200 acre tract; thence with Noffsinger S 41 E 1716 feet to a large white oak, also corner to Noffsinger 200 acre tract; thence still with Noffsinger 200 acre tract N 48-25 E 477.5 feet to a large stooping white oak, corner to J. C. Batsel 37 acre tract in line of John Noffsinger 200 acre tract; thence with J. C. Batsel 37 acre tract S 3-53 W 2236.5 feet to the beginning, containing 61 acres.

"There is excepted from the above described property all coal, minerals, gas and oil, together with the right to mine and remove the same and right of ingress and egress, same having been conveyed in former deeds if record.

384 674

"There is also excepted from the above described property that certain pole line easement granted to the Kentucky Utilities Company by C. C. Blake and wife, Margie Blake on March 16, 1953, and of record in Deed Book 185, page 34 in the office of the Muhlenberg County Court Clerk."

Parcel #21 being the same property conveyed to Ayrshire Collieries Corporation by C. C. Blake, single, et al., by deed dated January 23, 1964, recorded in the office of the said Clerk in Deed Book 239, page 585.

PARCEL #22

Beginning at two black oaks and white oak, old beginning corner and running thence S 33° 75' E 957 feet to an iron pipe in the road; thence N 84° 25' E 990 feet to a rock planted S 03° 53' W 13 feet from a small black oak tree marked as a pointer; thence N 03° 53' E 907.5 feet to a planted rock; thence S 79° 30' W 627 feet to a planted rock in a line of fence; thence N 13° 53' W 412.5 feet to a rock at the gate; thence S 71° W 112.2 feet to a rock at a corner fence post; thence N 13° 15' W 2075.7 feet to a rock in the old line, corner to C. C. Blake tract in line of Tudor Heirs tract; thence S 40° W 1306.8 feet with the line of Tudor Heirs to a large white oak corner to Tudor Heirs tract and Clifton Byers tract; thence S 75° W 1006.5 feet to a rock, corner to Clifton Byers tract and the Rogers Bros. Boswell tract; thence S 31° 30' E 2194.5 feet to a rock in the road; thence N 54° E 643.5 feet to the beginning, containing 90 acres, more or less.

"All coal, oil, gas and other minerals are reserved as in former deeds of record."

Parcel #22 being the same property conveyed to Ayrshire Collieries Corporation by L. D. Edge and wife, Rose Edge, by deed dated March 10, 1966, recorded in the office of the said Clerk in Deed Book 252, page 179.

PARCEL #23

TRACT #1: Beginning at an elm, sweet gum, and water beech, corner to J. C. Batsel 98 acre tract and running thence with the Howerton tract S 36 W 1315 feet to a white oak; thence S 45 E 1089 feet to a stone in lane, near the head of a hollow,

corner to James Tudor 80 acre tract; thence S 45 W 1551 to two beeches and a black gum; thence S 45 E 1650 feet to a hickory, sweet gum and white oak, in line of J. C. Batsel 37 acre tract; thence N 45 E 2805 feet to an elm, white oak and dogwood, corner to J. C. Batsel 98 acre tract; thence N 38-10 W 2740 feet to the beginning, containing 140 acres.

TRACT #2: Beginning at a stake in the line of the 140 acre tract and running thence N 45 E 2015 feet to a white oak and black gum in line of J. C. Batsel 98 acre tract; thence S 56-1/4 410 feet to a stake; thence S 21-3/4 W 200 feet to a stake; thence S 49 W 50 feet to a stake, thence S 41-40 W 485 feet to a stake; thence S 9-40 E 1040 feet to a stake; thence N 75-10 E 20 feet to a stake; thence S 75 E 270 feet to a stake; thence S 19 W 220 feet to a white oak, corner to Newton Belcher 100 acre tract; thence with his line N 70-25 W 975 feet to a turkey oak, another corner to Newton Belcher 100 acre tract; thence S 39-1/2 W 655 feet to a black gum, another corner to Newton Belcher's 100 acre tract, also corner to W. P. McKinney 90 acre tract; thence N 42 W 1340 feet to a rock, corner to W. P. McKinney 90 acre tract and John Noffsinger 6 acre tract; thence N 42 W 360 feet to the beginning, containing 54 acres.

TRACT #3: Beginning at a rock and running S 41 E 313.5 feet to a rock, corner to W. P. McKinney 90 acre tract; thence S 56 W 1006 feet to a stone and maple, corner to J. C. Batsel 37 acre tract; thence N 75 W 214.5 feet to a rock in the old line; thence N 44 E with John Noffsinger's 140 acre tract 1072.5 feet to the beginning containing 6 acres, more or less.

Parcel #23 being the same property conveyed to Ayrshire Collieries Corporation by John W. Noffsinger, single, et al., by deed dated October 19, 1962, recorded in the office of the said Clerk in Deed Book 231, page 572.

PARCEL #24

Beginning at a stone and white oak, beginning corner of the 117-1/2 acre tract; thence S 42 E 66 poles and 21 links to a stake; thence S 47 W 100 poles to a black gum; thence S 44-3/4 W 73 poles to a large white oak; thence N 2 E 54 poles and 9 links to a stone; thence N 25 W 20 poles to a beech; thence N 16-1/2 W 39 poles to a stone; thence N 49-1/2 E 22 poles to a stone in the center

of the public road, Jenkins' beginning corner; thence with his line and with his calls, and with the public road N 52-10 E 559 feet to a stake in the center of the public road; thence N 30-15 W 324.5 feet to a stake; thence N 51-55 E 537 feet to a stake on the bank of a branch; thence S 37-30 E 328 feet to a stake in the public road; thence with the road N 52-15 E 303.7 feet to a stake in George Noffsinger's line at the intersection of the public road with a lane and in line of 117-1/2 acre survey; thence with said line S 55 E 19 poles to the beginning, containing 80 acres, more or less.

"The coal and all other minerals are excepted from this conveyance, same having been reserved in former deeds of record."

Parcel #24 being the same property conveyed to Ayrshire Collieries Corporation by H. A. Tudor, et al., by deed dated October 22, 1962, recorded in the office of the said Clerk in Deed Book 231, page 582.

PARCEL #25

Beginning at a planted rock in the center of the public road at the mouth of a lane, W. H. Noffsingers corner and running thence with the road N 52-10 E 559 feet to a stake in the center of the public road; thence N 30-15 W 324.5 feet to a stake; thence N 51-55 E 537 feet to a stake on the bank of a branch; thence S 37-30 E 328 feet to a stake in the center of the public road; thence with the road N 52-15 E 303.7 feet to a stake in George Noffsinger's line at the intersection of the public road with a lane; thence with the lane, also George Noffsinger's line N 54-30 W 1112 feet to a stake in the line; thence S 53-40 W 994.5 feet to a stake in a lane; thence with the lane, also with W. H. Noffsinger's line S 31 E 1082 feet to the beginning, containing 25.6 acres, more or less.

Parcel #25 being the same property conveyed to Ayrshire Collieries Corporation by Ruth G. Taylor and husband, Stroud Taylor, by deed dated October 29, 1962, recorded in the office of the said Clerk in Deed Book 231, page 641.

A

PARCEL #26

Beginning at a white oak on the bank of Pond Creek, and running thence N 85 W 2191.5 feet to an elm; thence N 75 W 320 feet to a stone in place of two white oaks; thence North about 400 feet to the road; thence with the road N 80-1/2 E 1136 feet to Miller's line; thence with his line S 2-1/2 W 291 feet to his corner; thence with his line N 80-1/2 E 900 feet to the slough; thence N 10-1/2 E 1400 feet to a black gum; thence N 40 E 660 feet to a turkey oak; thence S 70-25 E 975 feet to a white oak; thence S 18 E 400 feet to an ash and white oak; thence with the meanders of the creek about 2,000 feet to the beginning, containing 100 acres, more or less.

"The coal is excepted from this conveyance, same having been reserved in former deeds of record."

Parcel #26 being the same property conveyed to Ayrshire Collieries Corporation by Newton Belcher and wife, Mabel Belcher, by deed dated November 26, 1962, recorded in the office of the said Clerk in Deed Book 232, page 281.

PARCEL #27

TRACT #1: Beginning at a large white oak on the bank Pond Creek; thence with the old creek S 56-1/4 W 287 feet; S 22 W 179 feet; S 42 W 218 feet; S 70-3/4 W 211 feet; S 83-1/2 W 171 feet; S 22-1/2 W 110.5 feet; S 42-1/4 W 222 feet; S 62-50 W 191 feet; S 01 E 194.5 feet; S 19-1/4 W 200.3 feet; S 01 E 235 feet; S 36-1/2 E 50.5 feet; S 35-1/4 E 93.5 feet; S 22 W 106 feet; S 28 W 297.3 feet; S 09-1/2 W 195 feet; S 54-52 W 146 feet; S 02-3/4 E 304.3 feet to a gum stump on the West bank of the creek, corner to the 22 acre grant and in line of J. N. Forgy tract (now Board of Drainage Commissioners); thence leaving Pond Creek and crossing the Drainage Ditch S 71-03 W 1101 feet to a stone, an agreed corner by the processioners proceedings between John D. Casebier and J. N. Forgy on August 24, 1911; thence S 13-1/4 West 1326 feet to a rock in the old line, corner to Peabody Coal Company, Newton Vincent 22.1 acre tract; thence with said tract N 48-1/2 W 1171.5 feet to a rock, corner to said tract in line of Hendrix 17-3/4 acre tract; thence N 42-1/2 E 1064 feet to a rock at a fence corner, corner to Irvin Hendrix 32-1/4 acre tract; thence N 47-1/2 W 600 feet to a stone at a fence

corner; thence N 49-1/4 E 394 feet to a rock on ditch at a fence corner; thence N 35 W 1550 feet to fence corner; thence S 50 W 180 feet to the road; thence with the road N 08-52 W 1102 feet to a stake in road at the intersection with the Central City and Paradise Road, N 84-39 E 1228 feet to a stake, corner to Newton Belcher 100 acre tract; thence S 87-17 E 2967 feet to the beginning, containing 212 acres.

TRACT #2: Beginning at a stone in the Central City-Paradise Road, running then in a Northerly direction 2100 feet to a stone in Noffsinger's line; thence in a Westerly direction to a stone and maple snag 390 feet; thence in a Northwesterly direction 120 feet to a stone in Noffsinger's line; thence in a Southwesterly direction 210 feet to a white oak; thence in a Southerly direction 2124 feet to a rock in the Central City-Paradise road; thence with said road in an easterly direction to the beginning, containing 37 acres.

"The surface only is conveyed herein, the coal, oil, gas and all other minerals and mining rights having been reserved in former deeds of record."

Parcel #27 being the same property conveyed to Ayrshire Collieries Corporation by J. C. Batsel, Sr. and wife, Edna Batsel, by deed dated February 4, 1963, recorded in the office of the said Clerk in Deed Book 233, page 223.

PARCEL #28

Beginning at an old white oak stump corner to J. W. Harris on the Central City and Drakesboro Road and running thence with said road in an easterly direction 350 feet to a white oak stump, corner of Robert Watkins lot; thence continuing with said road to where it intersects with Kentucky Highway 70 and running with Highway 70 in a Northwesterly direction 408 feet to an iron stake in the South right-of-way line of Highway 70 (formerly #81); thence S 40-1/2 W 160 feet to an iron pin, corner of Watkins lot and Rogers Brothers Coal Company; thence with Rogers Brothers Coal Company S 41-1/2 E 364 feet to an iron stake corner to Rogers Brothers Coal Company, the Watkins lot and Veachel Eaves lot; thence with Rogers Brothers Coal Company and the north line of Veachel Eaves lot in a Southwesterly direction to a black gum, J. W. Harris back corner in the line of Rogers Brothers Coal

d

Company; thence with the line of J. W. Harris in a Southeasterly direction 106 feet to the place of beginning, containing 2.5 acres.

"All coal, minerals and mining rights are excepted, same having been reserved in former deeds of record."

Parcel #28 being the same property conveyed to American Metal Climax, Inc. by Robert L. Draper and wife, Pauline Draper, by deed dated February 3, 1971, recorded in the office of the said Clerk in Deed Book 281, page 225.

PARCEL #29

TRACT #1: Lot No. 26 of W. A. Wickliffe plat recorded in Deed Book 56, Page 100, as surveyed by W. T. Hill, of the Clark land, said Lot No. 26 being on the west side of Clarksville and Central City Road and on the western line of said survey, and beginning at a rock near a branch, thence N 17 W 18 3/4 poles to a rock; thence N 57 E 34 poles to iron pin in old line; thence with the old line S 26 1/2 E 18 poles to a stake; thence S 57 W 36 poles to the beginning, containing 4 acres.

TRACT #2: Adjoining Lot No. 26, beginning at a rock, the southwest corner of N. Hayden lot, running with his line N 26 W 309 feet to a rock, the northwest corner of N. Hayden's lot; thence S 60 W 235 feet to a point in L. Deering's line; thence with L. Deering's line 309 feet to a point in the corner of J. Whitehouse land; thence N 58 E 200 feet to the beginning, containing ONE acre, more or less.

TRACT #3: Beginning at a rock, the corner of the Kittenger's 44 acre Survey, running thence with the line of said tract N 77-30 E 693 feet to a point; thence N 41 W 617 feet to a rock and hickory; thence N 26-30 W 435 feet to a rock, N. Hayden's corner; thence with N. Hayden's line S 58 W 794 feet to a point in L. Deering's lot; thence with L. Deering's line S 29 E 61 feet to his corner; thence S 80 W to a point in S. Steven's lot; thence with S. Steven's line S 29 E 249 feet to the corner of S. Steven's and Shultz's; thence with Shultz's line S 3 E 209 feet to his corner; thence N 80 E 104 feet to the corner of Quisenberry's lot; thence with Quisenberry's line S 1 E 325 feet to a rock; thence N 67-30 E 503 feet to the beginning,

d

containing 19 acres, less 2 acres sold to Elmer Myers, leaving 17 acres more or less conveyed herein.

"The surface only is conveyed herein to the three (3) above described tracts of land."

Parcel #29 being the same property conveyed to Ayrshire Collieries Corporation by Loretta McRoy and husband, James McRoy, by deed dated May 9, 1953, recorded in the office of the said Clerk in Deed Book 183, page 304.

PARCEL #30

Lots #45, 46, 51 and 52 of the George D. Kittinger addition to Clarksville, as shown by the plat of same of record in Deed Book 56, page 100, to which reference is hereby made, for a specific description thereof.

"All coal, oil, gas and all other minerals and mining rights are excepted and not conveyed herein, they having been conveyed heretofore."

Parcel #30 being the same property conveyed to Ayrshire Collieries Corporation by Burlen Keeling and wife, Edna Keeling, by deed dated April 16, 1956, recorded in the office of the said Clerk in Deed Book 196, page 431.

PARCEL #31

Lot #19 on plat of the Wickliffe addition and recorded in Deed Book 56, Page 100, Muhlenberg County Clerk's Office as surveyed by W. T. Hull, said lot being on the West side of the Clarksville and Central City road and more particularly described as follows:

Beginning at a rock on said road, Jim Hayden's corner, running with said road N 5 E 136 feet to a rock; thence still with said road N 29 W 209 feet to a rock, John Carson's corner; thence with his line S 80 W 250 feet to a rock; thence S 29 E 209 feet to a rock; thence S 5 W 136 feet to a rock, Jim Hayden's line, and thence with his line N 80 E 259 feet to the beginning, containing 1.7 acres by survey.

"All coal, oil, gas and other minerals together with the right to mine and remove same are excepted, same having been reserved by former deeds which are of record."

Parcel #31 being the same property conveyed to Ayrshire Collieries Corporation by Mansfield Davis and wife, Minnie Lee Davis, by deed dated July 9, 1956, recorded in the office of the said Clerk in Deed Book 197, page 524.

PARCEL #32

Beginning at an elm, corner to Dockery and running thence with 2nd Street N 80-1/2 E 187.5 feet to a stake, corner to Sharpe; thence S 9-1/2 E 311 feet to a sycamore, corner to Sharpe; thence S 80-1/2 W 187.5 feet to an elm, corner to Dockery; thence N 9-1/2 W 300 feet to the beginning, containing 1.4 acres by survey.

"There is excepted and not conveyed herein all the coals, oil, gas and other minerals together with the mining privileges as set out in the deed from George D. Kittinger, et ux, to W. A. Wickliffe, dated May 26, 1905 and of record in Deed Book 59, Page 383, in the office of the County Clerk of Muhlenberg County, Kentucky."

Parcel #32 being the same property conveyed to Ayrshire Collieries Corporation by John Barnett and wife, Olga Barnett, by deed dated December 12, 1958, recorded in the office of the said Clerk in Deed Book 208, page 464.

PARCEL #33

Beginning at a rock and iron pipe in the Holt Coal Company line, and running N 40 W 547 feet to an elm corner; thence S 38-45 W 303 feet to a rock on the South bank of a ditch; thence S 6-45 E 246 feet to a rock in Ernest Bean's line; thence N 82-30 E 486 feet to the point of beginning.

"Minerals and mineral rights are reserved as in former deeds of record."

Parcel #33 being the same property conveyed to Ayrshire Collieries Corporation by John Barnett and wife, Olga Barnett, by deed dated August 21, 1956, recorded in the office of the said Clerk in Deed Book 198, page 396.

PARCEL #34

384 682

Beginning at a rock, the N.E. corner of Nelson Hayden's lot; thence running N 26-30 W 595 feet to a rock, the corner of the Gibraltar Coal Co.'s land; thence with the line of the said Coal Co.'s S 75 W 775 feet to a rock; thence S 19 E 430 feet to a rock, corner of Gregory's lot; thence S 29 E 380 feet to a corner of lot conveyed by Wickliffe and Moore to N. Hayden; thence with the said Hayden line N 60 E 796 feet to the point of beginning, and containing 12 acres, more or less.

"This Deed does not convey the coal and minerals, same having been reserved in a former deed now of record."

Parcel #34 being the same property conveyed to Ayrshire Collieries Corporation by John W. Whitehead and wife, Tillie Whitehead, by deed dated January 16, 1956, recorded in the office of the said Clerk in Deed Book 195, page 274.

PARCEL #35

Beginning at a rock and iron pin in the Holt Coal Company line, corner to Burlen Keeling 6 acre tract and John Barnett 3.5 acre tract and running thence with the line of Burlen Keeling 6 acre tract S 4 E 649 feet to an iron pin, corner to Emery; thence with Emery S 85-1/4 W 430 feet to an iron pin, also corner of Emery; thence S 1 E 308 feet to an iron pin; thence S 84 W 185 feet to an iron pin on the West side of the road; thence with said road S 7-1/4 E 43 feet to an iron pin; thence S 85 W 430 feet to an iron pin; thence N 7 West 300 feet to an iron pin in Will Rice line; thence with his line and line of Rogers Bros. Coal Company N 21 E 730 feet to a rock, corner to James McRoy 22 acre tract; thence with said McRoy 22 acre tract and John Barnett 3.5 acre tract N 81-3/4 E 760 feet to the beginning, containing 17.8 acres.

And being Lots #23, 24, 25, 29, 30, 31, 35, 36, 37, 38, 39, 41, 42, 43, 44, 47, 48, 49 and 50 in the Kittinger Addition.

"The surface only is conveyed herein, all of the coal, oil, gas and all other minerals having been heretofore sold by deed of Record in Deed Book 59, Page 383, in the Office of the County Clerk of Muhlenberg County, Kentucky, to which deed reference is hereby made for the mining rights and privileges granted therein."

Parcel #35 being the same property conveyed to Ayrshire Collieries Corporation by Ernest Bean, Jr., et al. by deed dated August 19, 1958, recorded in the office of the said Clerk in Deed Book 208, page 592.

PARCEL #36

Beginning at an 8 inch sweet gum in old original line then S 70 E 299 feet with old line to center line of abandoned Beech Street; thence with center line of old street S 18-3/4 W 512 feet; thence leaving old street N 72 W 619 (crossing center line of old Highway #431 at 125 feet) and with Johnson's North line to stake on East side of Cleaton Street, Johnsons Northwest corner; thence with East line of Cleaton Street N 10-1/2 W 220 feet to Wm. Harlans corner on North side old abandoned Lyons Street; thence with North line of abandoned Lyons Street (Harlans South line) S 75-1/2 E 485 feet (crossing old Highway #431 again at 380 feet) to center line of branch, then up branch N 16-1/2 W 100 feet; then leaving branch N 18-1/2 E 220 feet to beginning, and containing 5.2 acres out of which there is excepted highway right-of-way of 0.5 acre, leaving a net acre of 4.7 acres.

"This deed does not convey the coal and minerals, same having been reserved in a former deed which is of record."

Parcel #36 being the same property conveyed to Ayrshire Collieries Corporation by Milton P. Creel, et al. by deed dated December 17, 1959, recorded in the office of the said Clerk in Deed Book 213, page 280.

PARCEL #37

Lots #27 and #28 in the Kittinger Addition to the Village of Cleaton and Clarksville, Kentucky, as shown on the plat of said addition, which is now of record in the office of the County Clerk of Muhlenberg County in Deed Book 89, page 433.

"All coal, oil, gas and all other minerals and mining rights are hereby reserved only to the extent that they have been reserved in former deeds which are of record and are hereby referred to and made a part hereof."

Parcel #37 being the same property conveyed to Ayrshire Collieries Corporation by Perry O'Bannon and wife, Margaret O'Bannon, by deed dated September 1, 1960, recorded in the office of the said Clerk in Deed Book 219, page 420.

PARCEL #38

Lots Nos. 32, 33, 34, 39 and 40 in the Kittinger Addition to the town of Cleaton, Kentucky, as recorded in plat of said addition which is of record in the office of the Muhlenberg County Clerk in Deed Book 80, page 433.

Parcel #38 being the same property conveyed to Ayrshire Collieries Corporation by Harry Whanger and wife, Katie Whanger, by deed dated September 7, 1960, recorded in the office of the said Clerk in deed Book 219, page 498.

PARCEL #39

Lot #2 in Locke's Addition on Pond Creek, North side of Bevier, Kentucky, on the South side of the Greenville Road, commencing at the corner of Lot #1 and running East 175 feet to a corner of Lot #3; thence South 245 feet to a stake; thence West 175 feet to Lot #1; thence 245 feet to the beginning, containing one acre.

"Coal and minerals, together with the mining rights are reserved and not conveyed herein."

Parcel #39 being the same property conveyed to Ayrshire Collieries Corporation by Walter Moore and wife, Mabel Moore, by deed dated August 3, 1961, recorded in the office of the said Clerk in Deed Book 224, page 579.

PARCEL #40

Commencing at a stake, corner of lot #3, running East 100 feet to a stake; thence South 100 feet to a stake; thence West 100 feet parallel with the first line to a stake; thence North 100 feet parallel with the second line to the beginning.

"The surface only is conveyed herein, the minerals having been reserved in former deeds of record."

R

Parcel #40 being the same property conveyed to Ayrshire Collieries Corporation by Willie Johnson and husband, George Johnson, by deed dated July 11, 1961, recorded in the office of the said Clerk in Deed Book 224, page 405.

PARCEL #41

Lot #26 in the Kittinger Addition to the town of Cleaton, Kentucky, as shown on plat of said addition which is of record in the office of the Muhlenberg County Court Clerk in Deed Book 80, page 433.

Parcel #41 being the same property conveyed to Ayrshire Collieries Corporation by Henry Whanger and wife, Katie Whanger, by deed dated February 7, 1966, recorded in the office of the said Clerk in Deed Book 251, page 546.

PARCEL #42

Lots No. 9, 15, 20 and 21 in the Kittinger Addition to the unincorporated town of Cleaton, Muhlenberg County, Kentucky, and a plat of said Kittinger Addition is of record in the office of the Muhlenberg County Court Clerk in Deed Book 89, page 433, to which plat reference is hereby made for a better description of said property.

"The surface only is hereby conveyed, the coal and minerals having been heretofore conveyed."

Parcel #42 being the same property conveyed to Ayrshire Collieries Corporation by R. E. Sharp and wife, Myrl Sharp, by deed dated July 1, 1966, recorded in the office of the said Clerk in Deed Book 254, page 33.

PARCEL #43

Beginning at the southwest corner of Lot #16 at the intersection of Second and Baize Street, running thence east with Baize Street 150 feet to a stake, thence North 72 feet to a stake, thence parallel with Baize Street 150 feet to a stake in the east side of Second Street; thence south with Second Street 72 feet to the beginning.

A

384

686

"All minerals are excepted, same having been heretofore conveyed to W. A. Wickliffe by George D. Kittinger, et ux. by deed dated May 10, 1905 and of record in Deed Book 59, page 383 in the office of the Clerk of Muhlenberg County Court."

Parcel #43 being the same property conveyed to Ayrshire Collieries Corporation by Lucille Sanders, widow, et al. by deed dated December 19, 1966, recorded in the office of the said Clerk in Deed Book 256, page 92.

PARCEL #44

Beginning at the Northeast corner of the intersection of Oliver and 2nd Streets; thence North 150 feet to a 12-1/2 foot alley; thence with said 12-1/2 foot alley Easterly 187-1/2 feet; thence parallel with first line and with another 12-1/2 foot alley Southerly 150 feet to 2nd Street; thence with the North line of 2nd Street Westerly 187-1/2 feet to the beginning.

"The surface only is conveyed herein, all minerals having been heretofore conveyed by former deeds of record."

Parcel #44 being the same property conveyed to Ayrshire Collieries Corporation by Ernest Wilson and wife, Mary Wilson, by deed dated February 18, 1967, recorded in the office of the said Clerk in Deed Book 256, page 507.

PARCEL #45

Lot #18 in the Kittinger Addition to the town of Clarksville as recorded on plat of said addition which is of record in the Muhlenberg County Clerk's office in Deed Book 80, page 433.

Parcel #45 being the same property conveyed to Ayrshire Collieries Corporation by Henrietta Rutledge, widow, by deed dated February 27, 1967, recorded in the office of the said Clerk in Deed Book 256, page 611.

PARCEL #46

One lot or parcel of ground with improvements thereon and being located in the George D. Kittinger Addition to Clarksville, near Cleaton in

f

384

687

Muhlenberg County, Kentucky, and bounded and described as follows: One lot 150 feet by 193.7 feet and being Lot #10 in the plat of G. D. Kittinger's Addition to the town of Clarksville, Muhlenberg County, Kentucky.

Parcel #46 being the same property conveyed to Ayrshire Collieries Corporation by Viola Dockery Fulkerson, widow, by deed dated January 5, 1967, recorded in the office of the said Clerk in Deed Book 256, page 116.

PARCEL #47

Lot #12 in the George D. Kittinger Addition to the town of Clarksville, Muhlenberg County, Kentucky, and described as follows: Beginning at the intersection of Second and Oliver Streets; thence South 150 feet to an alley between Lot #12 and Lot #6; thence West 187-1/2 feet to an alley between Lot #11 and #12; thence with said alley North 150 feet to Second Street; thence with Second Street 187-1/2 feet to the beginning.

"All minerals in and underlying the above described property are excepted, same having been heretofore conveyed to other parties."

Parcel #47 being the same property conveyed to Ayrshire Collieries Corporation by Viola Dockery Fulkerson, widow, et al. by deed dated January 13, 1967, recorded in the office of the said Clerk in Deed Book 257, page 271.

PARCEL #48

Lot #27 of the plat of W. A. Wickliffe, being the same platted by W. T. Hull and recorded in Deed Book 56, page 100 in the Muhlenberg County Court Clerk's office and bounded as follows:

Beginning at a rock on the road, Lucy Deering's corner running thence with her line N 80 E 350 feet to a rock; thence N 29 W 124 feet to a rock; same being corner of Henry Gregory lot; thence with his line S 80 W 350 feet to the road, thence with the road S 29 E 124 feet to the beginning, containing one acre.

A

"The coal oil, gas and other minerals together with mining rights and privileges are excepted, same having been reserved in former deeds which are of record."

Parcel #48 being the same property conveyed to Ayrshire Collieries Corporation by Esther O'Bannon, widow, by deed dated March 13, 1967, recorded in the office of the said Clerk in Deed Book 258, page 621.

PARCEL #49

Beginning at rock in the Drakesboro and Central city Road corner to one acre lot set aside to the two children of Marrie Johnson; running thence with their line N. 80 E. 350 feet to a rock; the said Johnsons corner thence N. 19 W. 124 feet to a rock planted in the W. A. Wickliffe line; thence S. 80 W. 350 feet to a rock on the Drakesboro and Central City Road; thence with said road S. 19 E. 124 feet to the beginning.

"The coal and minerals contained in and underlying said above described lot or parcel of land are reserved in former deeds."

Parcel #49 being the same property conveyed to Ayrshire Collieries Corporation by C. Terry Earle, Master Commissioner, Muhlenberg Circuit Court, by deed dated July 10, 1967, recorded in the office of the said Clerk in Deed Book 258, page 612.

PARCEL #50

Lots No. 7 and 13 in the Kittinger Addition to the unincorporated town of Cleaton, Muhlenberg County, Kentucky, and a plat of said Kittinger Addition is of record in the office of the Muhlenberg County Court Clerk in Deed Book 89, page 433.

"It is understood and agreed by the parties hereto that only surface is conveyed in this deed."

Parcel #50 being the same property conveyed to Ayrshire Collieries Corporation by Leon Dockery and wife, Lois Dockery, by deed dated November 21, 1967, recorded in the office of the said Clerk in Deed Book 261, page 385.

A

PARCEL #51

Beginning at the Bevier-Central City road, running thence South 80 feet to a rock; thence East 288 feet Snodgrass' line, thence with said line North 223 feet to George Nichols corner, thence West 408 feet to the beginning, containing 1 acre.

Parcel #51 being the same property conveyed to Ayrshire Collieries Corporation by Frankie Metcalfe and husband, I. L. Metcalfe, by deed dated December 7, 1967, recorded in the office of the said Clerk in Deed Book 261, page 483.

PARCEL #52

Beginning at a planted rock on the East side of the old Central City and Drakesboro Highway and running N 78° E 417.5 feet to a rock in the line of Rogers Bros. 3 acre tract; thence S 12° E 105 feet to an iron pipe in H. J. Batson's line; thence S 78° W 160 feet to a rock, Robert Devine's old corner; thence Southeast 200 feet to a rock, Tom Rutledge's corner; thence S 78° W 160 feet to Robert Devine's corner; thence N 12° W 105 feet to a rock, Robert Devine's old corner; thence S 78° W 260 feet to a rock on the old Central City and Drakesboro Highway; and thence with said highway N 12° W 105 feet to the beginning, containing 1.2 acres, more or less.

Parcel #52 being the same property conveyed to Ayrshire Collieries Corporation by Haskell O'Neil, et al., by deed dated March 16, 1968, recorded in the office of the said Clerk in Deed Book 263, page 326.

PARCEL #53

Beginning at a planted rock at the intersection of Beech Street and the elbow in Cleaton Street and running thence with the East line of Cleaton Street 210 feet more or less to an alley; thence with said alley in a northern direction about N 19 E 100 feet; thence S 70 E 210 feet to west line of Beech Street; thence with said Beech Street 100 feet to the beginning, containing 0.5 acre.

"Surface only is conveyed by this deed, all coal, oil, gas and all other minerals and mining rights having heretofore been reserved."

h

384

690

Parcel #53 being the same property conveyed to Ayrshire Collieries Corporation by Ernest Watson and wife, Hattie Watson, by deed dated October 16, 1968, recorded in the office of the said Clerk in Deed Book 268, page 49.

PARCEL #54

Beginning at a gum and large red oak; thence N 75 E 84 poles to two small beeches and black gum in Rose line; thence S 15 W 96 poles to a sweet gum and two small beeches; thence S 75 W _____ poles to a black oak in Wilcox's line; thence N 15 E 95 poles to the beginning, containing 44 acres, more or less.

This property is more accurately described by a survey made by B. E. Hess on January 1, 1914, which is as follows:

Beginning at a beech and sweet gum; thence S 80-30 W 1419 feet to an elm; thence N 19-40 E 1694 feet to a stone; thence N 80 E 1360 feet to two beeches and black gum; thence S 19 W 1666.5 feet to the point of beginning.

"There is excepted and reserved and not conveyed herein any and all lots or parcels of land that have heretofore been sold or conveyed, it being the intention of this deed to convey to the party of the second part, the remainder of said lots in said subdivision now owned by the parties of the first part.

"All coal, oil, gas and all other minerals and mining rights are reserved and not conveyed by this deed, they having heretofore been sold."

Parcel #54 being the same property conveyed to Ayrshire Collieries Corporation by Anna Mae Coffee and husband, Isaac Coffee, by deed dated August 7, 1968, recorded in the office of the said Clerk in Deed Book 266, page 406. And, being the same property conveyed to Ayrshire Collieries Corporation by Ernest Wilson and wife, Mary Wilson, by deed dated August 7, 1968, recorded in the office of the said Clerk in Deed Book 266, page 403.

PARCEL #55

Beginning at a planted rock on the East side of Central City and Clarksville Road, George Quisenberry's corner and running with his line N 80 E 209

feet to a planted rock in his line; thence N 5 E 209 feet to a planted rock, S. Stevens corner; thence S 80 W with Stevens line 209 feet to the said road; thence with the road S 5 W 209 feet to the beginning, containing 1 acre.

"All of the coal, gas, iron and all other minerals together with the mining rights and privileges are excepted same having been reserved in former deeds of record."

Parcel #55 being the same property conveyed to Ayrshire Collieries Corporation by Geneva Childs Simonds, widow, by deed dated July 18, 1969, recorded in the office of the said Clerk in Deed Book 271, page 595, and by Tom Hutchinson, single, by deed dated February 6, 1967, recorded in the office of the said Clerk in Deed Book 256, page 408.

PARCEL #56

TRACT #1: Beginning at a stake on the west side of a 30 foot street, corner to an alley N. 70 W. with said alley 210 feet to another alley; thence N. 9-3/4 W. with said alley 40 feet; thence S. 84-1/2 E. 196 feet to a stake on a 30 foot street; corner to W. B. Creel heirs; thence S. 7-48 E. 91 feet to the beginning, containing 0.29 acres.

TRACT #2: Beginning at W. N. Millers corner (now Lester McElwains) on a 30 foot street and running thence S. 7-48 E. 100 feet to C. H. Creel Heirs corner; thence with their line S. 70-49 W. 193 feet to an alley; thence with said alley N. 9-3/4 W. 100 feet to a planted rock, corner to W. N. Miller (now Lester McElwain); thence with his line N. 79-49 E. 196 feet to the beginning, containing 0.5 acres.

TRACT #3: Beginning at a stake on the west side of Cleaton Street, A. M. Creel corner at the intersection of McGuyer Street and running thence with Cleaton Street S. 19 W. 100 feet to a stake on the west side of said street; thence N. 70 W. 200 feet to a stake in the line of C. H. West; thence N. 19 E. 100 feet with said line to a stake on the south side of McGuyer Street; thence with the south side of McGuyer Street S. 70 E. 200 feet to the beginning.

"Surface only is conveyed herein, all coal, oil, gas and other minerals having been heretofore conveyed all of which are of record by deeds or

h

384 692

reservations in deeds all of which are of record and to which reference is hereby made, for a more complete description thereof."

Parcel #56 being the same property conveyed to Ayrshire Collieries Corporation by W. C. Robertson, et al., by deed dated March 19, 1959, recorded in the office of the said Clerk in Deed Book 210, page 411.

PARCEL #57

Beginning at a rock on the West side of the old Greenville and Paradise road and running with the West margin of said road nearly due West 200 feet to an alley, thence with the East margin of said alley nearly due South 100 feet to a planted rock; thence in an Eastward direction and parallel with the first line 200 feet to a 30 foot road; thence with the West line of said road or street nearly due North 100 feet to the beginning.

"All coal, oil, gas and all other minerals are excepted same having been reserved in former deeds of record."

Parcel #57 being the same property conveyed to Ayrshire Collieries Corporation by Robert Rager and wife, Jerldean Rager, by deed dated December 11, 1967, recorded in the office of the said Clerk in Deed Book 261, page 538.

PARCEL #58

Beginning at a planted rock on the South side of the Greenville-Paradise Road (after widening said road 30 feet and 50 feet west of a 10 foot alley); thence S 77 W with the public road 200 feet to a planted rock; thence S 13 E 242 feet to a 16 foot alley; thence with the East line of said alley in a Southeasterly direction 235 feet to a rock; thence N 13 E 350 feet to the beginning.

"All coal and all other minerals and mining rights are hereby excepted only to the extent that they have been reserved in former deeds of record."

Parcel #58 being the same property conveyed to Ayrshire Collieries Corporation by Lester McElwain and wife, Pauline McElwain, by deed dated January 12, 1968, recorded in the office of the said Clerk in Deed Book 262, page 217.

2

384 693

PARCEL #59

TRACT #1: Beginning at a stake on the West side of a 30 foot street, corner to C. H. Creel Heirs and running thence with said street South 7-48 E 91 feet (old call S 15 W 77 feet) to a stake, corner to Daisy Robertson Heirs; thence with their line N 84-1/2 W 196 feet to a stake on an alley, corner to Daisy Robertson Heirs; thence with said alley N 9-3/4 W 40 feet to a stake on said alley, corner to C. H. Creel Heirs; thence N 79-49 E 190 feet to the beginning, containing .29 acre by survey.

TRACT #2: Beginning at a rock on the West side of Cleaton Street, corner to J. R. Johnson Lot and running thence N 70 W 200 feet to a stake corner to J. R. Johnson and Willoughby Lots; thence N 20 W 100 feet to a stake on the South side of an alley; thence with the alley S 70 E 200 feet to a stake on the West side of Cleaton Street; thence S with Cleaton Street to the beginning, containing .5 acre by survey.

"The coal and mineral rights in and under said tracts conveyed herein are excepted, same having been reserved in former deeds which are of record."

Parcel #59 being the same property conveyed to Ayrshire Collieries Corporation by Ora Creel, widow, et al., by deed dated October 9, 1957, recorded in the office of the said Clerk in Deed Book 204, page 92.

PARCEL #60

TRACT #1: Beginning at a sand rock in Jim Wickliffe's corner; running South 50 feet to Raymond Rowland's corner; thence West 150 feet with Raymond Rowland's line to a rock; thence North 50 feet to a rock; thence East 150 feet to the beginning.

TRACT #2: Beginning at Harry Kennedy's corner and running North 105 feet to a rock; thence East 210 feet to a rock; thence South 105 feet to a rock; thence 210 feet to the beginning.

TRACT #3: Beginning at a rock on the East side of a 20 foot outlet adjoining Willie Baggetts corner; thence with the North line of the Greenville-Paradise road Northeast 85 feet to the west line of the Central City-Drakesboro Road at the inter-

section of same, thence with West line of Central City-Drakesboro road 90 feet to the corner of Wolf Swentner (Gschwendners) home place, thence with the South line of same 105 feet to rock corner, thence Northward with Wolf Swentner's home place 78 feet to a rock in line, an old corner of D. H. Whitehouse portion continuing in the same direction 88 feet to Bob Wilson's line; thence Southwest 25 feet to his corner, thence northerly 50 feet to said Wilson's corner with James Wickliffe land, thence Southwest with Wickliffe line 50 feet to back corner of Willie Baggett, thence Southeast with her line 127 feet to back end of a 20 foot outlet; thence Northeast across outlet 20 feet to a rock; thence with East line of outlet 180 feet to North line of Greenville-Paradise road, the beginning corner.

TRACT #4: Beginning at a rock and running in a Northwesterly direction 168 feet to a rock, at Bob Wilson's corner, thence with Wilson's line in a northeasterly direction 145 feet to the Central City-Drakesboro road, thence with the road Southeast 150 feet to a rock; thence Southwest 105 feet to the beginning.

TRACT #5: Beginning at Tate's southwest corner, running thence with his line N 78 E 25.3 poles to a stake; thence S 12 E 208.7 feet to a stake in an old field, thence S 78 W 417.5 feet to a stake, thence N 12 W 208.7 feet to the beginning, containing 2 acres.

TRACT #6: One lot between John Austin place and B. F. Creel lot fronting on the L & N Railroad right of way and Central City-Clarksville road, and being the same property conveyed to Noffsinger from Henry Johnson, dated January 10, 1921, and of record in Deed Book 118, page 390.

TRACT #7: Beginning at a rock on the O & N Railroad right of way thence with said right of way in a southern direction 60 feet to Dan Mitchell's line; thence with said Mitchell's line 166 feet in a northeasterly direction to a rock on a 16 foot street; thence with said street in a northern direction 60 feet to a rock; thence with Henry Johnson's line in a southern direction 166 feet to a rock on the O & N Railroad right of way, the point of beginning.

TRACT #8: Beginning at the Bob Devine old corner rock and running in an Eastern direction 160 feet more or less to an iron pipe in the H. J. Baston

line; thence in a southern direction with the said H. J. Baston line 105 feet more or less to Thomas Rutledge corner thence in a northwesterly direction 200 feet more or less to the point of beginning, being a three line lot.

TRACT #9: Beginning at a rock on the South side of Austin Street at the intersection of a 20 foot alley, thence with the line of the street Easterly 50 feet to a rock; thence South 71 feet to Adam Moore's corner; thence with Moore's line Westerly 50 feet to a 20 foot alley, thence North 71 feet to the beginning.

TRACT #10: One Lot #5 in Block E in the First Colored Addition to Moorman situated in Muhlenberg County, Kentucky, as shown in Plat of said town which is of record in Deed Book 70, page 476 in the Muhlenberg County Court Clerk's office, to which reference is hereby made for a complete description of said lot.

Parcel #60 being the same property conveyed by deeds as follows: (1) deed dated June 2, 1972, from Mary Kaiser Garrett and husband, George Garrett, to American Metal Climax, Inc., recorded in the office of the said Clerk in Deed Book 288, page 592; (2) deed dated October 9, 1971, from Clint Rutledge, et al., to American Metal Climax, Inc., recorded in the office of the said Clerk in Deed Book 288, page 582; (3) deed dated July 10, 1972, from Valeria Rutledge, widow, et al., to American Metal Climax, Inc., recorded in the office of the said Clerk in Deed Book 289, page 391; (4) deed dated September 8, 1973, from Verna Mae Fletcher, unmarried, to American Metal Climax, Inc., recorded in the office of the said Clerk in Deed Book 297, page 141; and, (5) deed dated November 18, 1976, from Roxie Ann Rutledge, single, et al., to Amax Inc., recorded in the office of the said Clerk in Deed Book 317, page 641.

PARCEL #61:

TRACT #1: Beginning at a rock on the O & N Railroad Company's right of way and line of S. H. Hughes' corner and running in an eastern direction with the right of way of the O & N Railroad Company 12 poles more or less to a persimmon tree corner of Methodist Church lot; thence with the Methodist Church lot line 250 feet more or less to the public road; thence with the public road in a western direction 12 poles, more or less to S. Hughes

2

corner; thence with the line of S. H. Hughes in a southern direction 250 feet more or less to the beginning.

"Coal and minerals together with all rights to mine and remove the same are hereby reserved as in former deeds of record."

TRACT #2: Beginning at a planted rock, B. F. Creel's corner on the O & N Railroad Company's line of right of way and running with his line N 16-1/2 E 250 feet to his corner on the south line of the public road, thence N 62 W 12 poles to James Gatton's corner; thence with his line S 49 W 72 poles; thence S 73 E 8 poles to railroad company's line to B. F. Creel's corner, the place of beginning.

Parcel #61 being the same property conveyed to American Metal Climax, Inc. by Myrtle Petty, widow, by deed dated August 5, 1972 recorded in the office of the said Clerk in Deed Book 290, page 428.

PARCEL #62

Beginning at a rock, corner to Miller Cemetery and running thence N 74-1/2 E 441 feet to a rock; thence S 14 E 495 feet to a rock; thence S 74-1/2 W 231 feet to a rock, corner to Frances E. Garrett 1 acre tract; thence with two lines of the Frances E. Garrett one acre lot N 14 W 210 feet to a rock; thence S 74-1/2 W 210 feet to a rock at the intersection of the road; thence with said road N 14 W 285 feet to the place of beginning, containing 4 acres, more or less.

"All coal and all other minerals and mining rights are excepted only to the extent that they have been heretofore reserved in former deeds of record."

Parcel #62 being the same property conveyed to American Metal Climax, Inc. by Hubert G. Drake by deed dated January 16, 1974, recorded in the office of the said Clerk in Deed Book 299, page 35

PARCEL #63

TRACT #1: A strip of land one hundred feet wide along and extending the distance of the southernmost boundary of the following described properties:

.. 88

A. Beginning at a rock in the road, James Wickliffe corner; thence running with the Wickliffe line North 87 West 26 poles to a rock in the old line near Katie Harpers spring; thence South 20 West 52-1/3 poles to a gum and two beeches; thence North 82 East 41 poles to a rock on the East side of the road; thence North 03 West 43 poles to the beginning, containing 9-3/4 acres.

B. Beginning at a rock in Kittingers line, near Katie Harpers spring and running thence South 87 East 26 poles to the center of the Greenville-Ceralvo Road; thence with the road North 10-1/2 East 38 poles to a rock near the road, thence North 75 West 21-1/2 poles to a black oak, old corner, thence South 15 West 44 poles to the beginning, containing 6 acres.

TRACT #2: Beginning at a planted rock at the intersection of the Central City and Drakesboro roads and a ten foot alley, said alley running between this lot and the H. L. Wright lot, and running thence with the road South 20 East 140 feet to Henry Gregory's corner; thence with Gregory's line due east about 250 feet to the center of a drain; thence up the drain to the South line of the ten foot alley; thence with the alley North 70 West 250 feet to the beginning.

TRACT #3 Being Lot #16 in the George Kittinger Addition to Clarksville, the plat being of record in Deed Book 89, Page 433, and reference being made to said plat for a description of said property the same as if fully copied herein.

"But there is excepted from the above described Lot #16 a strip 72 feet by 150 feet off the East end, same having been previously sold to Dennis Young."

TRACT #4: Beginning on the east side of the Clarksville Central City Road at a rock, Melton's corner, thence with his line North 80 East 760 feet to a rock, Melton's corner in the Clark and Kittinger line; thence with said line North 21-41 East 233 feet to a rock, Kittinger and Clarks corner; thence South 80 West 840 feet to a rock on the road, Quisenberry's corner; thence with the road South 14-1/2 West 228 feet to the beginning, containing 4 acres and 51 poles.

Parcel #63 being a part of the same property conveyed to American Metal Climax, Inc. by deeds as follows: (1) deed dated February 27, 1974, from

2

Lette Wickliffe, Guardian of the Estate of Felicia Wickliffe, minor, recorded in the office of the said Clerk in Deed Book 300, page 426; (2) deed dated February 27, 1974, from James Wickliffe, Jr., recorded in the office of the said Clerk in Deed Book 300, page 411; (3) deed dated February 14, 1974, from Bessie Mae Wickliffe Simon, widow, et al., recorded in the office of the said Clerk in Deed Book 300, page 417; and, (4) deed dated January 15, 1974, from Oliver Wickliffe, et al., recorded in the office of the said Clerk in Deed Book 300, page 517, Deed Book 299, page 158 and Deed Book 299, page 271. Tract #1 being a part of Tracts #6 and #7; Tract #2 being Tract #8; Tract #3 being Tract #8; and, Tract #4 being Tract #10 in the abovesaid deeds. Said Henry Wickliffe has since died and his life estate interest in Tracts #6 and #7, in the abovesaid deeds, has now terminated.

PARCEL #64

Beginning at a rock, S. W. Drake's corner, running thence with Crescent Coal Company's line N 74-1/2 E 120 feet to a rock; thence N 14 W 210 feet to a rock; thence S 74-1/2 W 120 feet to S. W. Drake's line; thence with Drake's line 210 feet to the beginning.

"Coal and minerals are excepted, same having been reserved in former deeds of record."

Parcel #64 being the same property conveyed to Amax Inc. by Mable Stinnett Johnson and husband, James Johnson, by deed dated June 10, 1975, recorded in the office of the said Clerk in Deed Book 309, page 83.

PARCEL #65

TRACT #1: Beginning at the Ed Whitehouse corner on the Central City Road and running thence with said Whitehouse line 189 feet to a beech tree; thence in a Northeast direction 212 feet to a black gum; thence 106 feet to a white oak on the Central City road; thence 93 feet to Ed Whitehouse corner, the point of beginning.

"The coal and minerals are excepted from this conveyance, they having been reserved in a former deed of record."

f

TRACT #2: Beginning at a planted rock on the west side of the Central City public road, and 60 feet from James Wickliffe's corner and running in a westward direction 245 feet to a planted rock; thence Northward 33 feet to two beech and a gum tree; thence in a Northeast direction 120 feet to a rock; thence in an Eastward direction 143 feet to a rock on the west side of public road; thence with said road in a southward direction 94-1/2 feet to the beginning.

"A strip ten feet wide along the 245 foot line is not conveyed in this deed.

"All coal and minerals are excepted, same having been reserved in a former deed of record."

Parcel #65 being the same property conveyed to Amax Inc. by Burlien Keeling and wife, Edna Keeling, by deed dated May 27, 1975, recorded in the office of the said Clerk in Deed Book 308, page 431.

PARCEL #66

Beginning at a planted rock in the old Central City - Drakesboro Road, James Wickliffe corner, running thence with his line in a westerly direction 250.8 feet to a planted rock; thence North 50 feet to a rock, George Rose's corner, running thence with said Rose's line 250.8 feet to the old Central City - Drakesboro; thence with said road in a southerly direction 50 feet to the beginning, containing 0.3 acres.

"Coal and minerals are excepted, same having been reserved in former deeds of record."

Parcel #66 being the same property conveyed to Amax Inc., by Eller Keeling and wife, Eunie Keeling, by deed dated April 21, 1975, recorded in the office of the said Clerk in Deed Book 307, page 800.

PARCEL #67

Beginning at a stake in the south line of the Archie Wells 70.28 acre tract, said tract being the northeast corner of the Herb Taylor tract, and running thence with the line of Archie Wells S 62-38 E 689.01 feet to a stake, said stake being the northwest corner of the Gibby Mitchell 32.33 acre tract; thence with the line of said Mitchell S 18-59 W 617.85 feet to a stake in the line of the

Crescent Coal Company near the old tipple site; thence with the line of Crescent Coal Company the following courses and distances: N 35-14 W 191.10 feet to a stake, N 8-43 E 102.33 feet to a stake, N 63-45 W 139.10 feet to a stake, thence S 31-18 W 88.47 feet to a stake, corner to L. J. W. Mayes, thence with the line of said Mayes S 86-05 W 357.15 feet to a stake, thence with the line of said Mayes S 79-20 W 52.92 feet to a stake, corner to Herb Taylor thence with the line of Herb Taylor N 2-56 E 230.26 feet to a stake, thence with the line of Herb Taylor N 31-11 E 483.10 feet to the place of beginning, containing 9.53 acres, excepting therefrom a lot conveyed to Daisy Slone, by Sidney Rager, et ux. by deed dated June 11, 1945, and of record in Deed Book 159, page 86 and bounded as follows:

Beginning at a stake, northeast corner of Roe Lee line and running in a Northeasterly direction 603 feet to Boarding House road, thence in a Northwesterly direction with the Boarding House road 603 feet to a stake, thence in a southwestern direction 174 feet to the point of beginning.

"The surface only is conveyed herein, all minerals together with the right to mine and remove same have heretofore been reserved in former deed of record."

Parcel #67 being the same property conveyed to Ayrshire Collieries Corporation by Estil Ray Piper and wife, Elizabeth L. Piper, by deed dated November 11, 1968, recorded in the office of the said Clerk in Deed Book 268, page 469.

PARCEL #68

All of the coal (EXCEPT THE NUMBER NINE (#9) VEIN OR SEAM OF COAL), together with the right to mine and remove the same from, in and underlying property described as follows:

Only that part of the acreage of the hereinbelow described 71.56 acre tract which is located to the west of and adjoining the Greenville - Central City by-pass, or Kentucky State Highway #189; the whole boundary of the 71.56 acres is described as follows:

Beginning at a 2 1/2-inch pipe at the southwest corner of the tract, corner to Rogers Brothers, about 351 feet east of U. S. Highway #62, old

A

corner, rock, now gone, and running thence N 88-31 E 571 feet, crossing a small branch at about 71 feet, to a 2 1/2-inch pipe in old line on north bank of an old trail, set stone at Dovey's corner in C. F. Wing's line called for now gone; thence S 89-17 E to a 2 1/2-inch pipe on a south slope, old corner calls for beech, sweet gum and rocks now all gone; thence N 10-45 E 628 feet to an iron pipe, corner to Rager surface; thence N 11-23 E 933 feet passing Alexander's southwest corner at 261.4 feet to a 30-inch poplar in the old line, corner to Herschel Noffsinger; thence with his line along an old fence N 86-45 W 654 feet to an old fence, corner to Lilly and Noffsinger; thence with Noffsinger's line due north 1681 feet to a stake in the old line, northwest corner of Herschel Noffsinger's 25-acre tract and northeast corner of Herschel Noffsinger's 25-foot outlet; thence with the old line S 89 W 522 feet to a stake, old corner, beech now gone, and also northwest corner of Ural Teague's tract; thence with the old line due south 3168 feet to the beginning, containing 71.56 acres, more or less.

Parcel #68 being a part of the same coal and coal mining rights conveyed to Ayrshire Collieries Corporation by J. A. Lacefield and wife, Bennie Lacefield, by deed dated February 5, 1954, recorded in the office of the said Clerk in Deed Book 187, page 5.

Ayrshire Collieries Corporation was merged into and with American Metal Climax, Inc. as shown by merger agreement dated October 20, 1969, recorded in the office of the said Clerk in Articles of Incorporation Book 6, page 211. On June 15, 1974, as shown in the office of the said Clerk in Articles of Incorporation Book 8, page 73, the name of said corporation was changed to Amax Inc.

This conveyance covers, includes and conveys any and all real estate, surface, coal, oil, gas and all other minerals, estates or easements of said party of the First Part which may adjoin or be contiguous to the above described property, regardless of any error, omission or irregularity in the foregoing property descriptions or title references; and, this conveyance also covers, includes and conveys any and all real estate, surface, coal, oil, gas and all other minerals, easements or estates of said First Party which may underlie, adjoin or be contiguous to any property which may have heretofore been excepted, reserved or retained from any larger tract or tracts of

R

384

702

which the above described property was once a part, regardless of whoever made such exception or reservation, and regardless of whenever such exception or reservation was made.

It is the purpose and intention of First Party to convey to Second Party by this deed any and all of its right, title, claim and interest in and to all of its property located in Muhlenberg County, Kentucky EXCEPT for any property or interests that said party of the First Part has with respect to the area commonly known as the "Sugar Creek" or "Powderly Mine" reserve area in Muhlenberg County, Kentucky, which said property or interests in this area is specifically EXCEPTED, RESERVED AND RETAINED by said party of the First Part; for the purpose of further defining this said area, the "Sugar Creek" or "Powderly Mine" reserve area is located as follows:

West of United States Highway #431 and the Louisville and Nashville Railroad;
East of United States Highway #62;
South of the West Kentucky Parkway.

STATE OF KENTUCKY
COUNTY OF MUHLENBERG

FILED
RECORDED
INDEXED
SERIALIZED

10-20-87 3:54pm
22 Oct 87

Krista Albert, Oc

9

1.4.24

GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED, executed and delivered this 20th day of JULY 1998 by and between BOBBY JOE VINCENT, divorced, unmarried, of Highway 277, Central City, Kentucky 42330 ("Grantor") and PEABODY COAL COMPANY, a Delaware corporation, with offices and chief place of business at 800 Laidley Tower, Charleston, WV 25301, ("Grantee").

WITNESSETH:

That for and in consideration of the exchange of real property by "Grantee" to "Grantor" of even date herewith, the receipt of which is hereby acknowledged, the said "Grantor" has bargained and sold and does by these presents bargain, sell, grant and convey unto the "Grantee", in fee simple, its successors and assigns forever, all of his right, title and interest in and to the following property located in Muhlenberg County, Kentucky, and described as follows:

See the attached Exhibit "A" describing the property covered by this General Warranty Deed.

This conveyance covers and includes any and all real estate, surface, coal, oil, gas and all other minerals, easements or estates of Grantor which underlie, adjoin or are contiguous to the above described Property, regardless of any error, omissions or irregularity in the foregoing property description or title reference; and this conveyance also covers and includes any and all real estate, surface, coal, oil, gas and other minerals, easements or estates of Grantor which may underlie, adjoin or be contiguous to any lands which may have heretofore been excepted from any larger tract of which the Property was once a part, regardless of whoever made such exception and regardless of whenever such exception was made.

TO HAVE AND TO HOLD, the attached described Property, together with all the rights, privileges and appurtenances thereunto belonging unto the "Grantee", its successors and assigns forever, with covenant of general warranty.

The Grantor and Grantee hereby agree, pursuant to KRS 382, that the value of the property described on the attached Exhibit "A" is One Hundred Fifty-Eight Thousand Dollars (\$158,000.00).

GRANTOR

Bobby Joe Vincent
Bobby Joe Vincent

(Corporate Seal)

GRANTEE

ATTEST:

PEABODY COAL COMPANY

David R. Joest
Secretary

By: Gary Halstead

DRJ

STATE OF KENTUCKY)

SS.

COUNTY OF MUHLENBERG

The foregoing GENERAL WARRANTY DEED was acknowledged before me by Bobby Joe Vincent, single, on this the 5th day of August, 1998, /and sworn

Mark R. Williams
Notary Public
My Commission Expires: 7-31-2002

STATE OF Kentucky)

SS:

COUNTY OF Henderson)

The foregoing GENERAL WARRANTY DEED was acknowledged before me on this the 20th day of July, 1998, by Gary Halstead and David R. Joest, the Vice President and Secretary, respectively, of Peabody Coal Company, a Delaware corporation, for and on behalf of said corporation. /and sworn

Jennifer Dettger
Notary Public
My Commission expires: 4-29-2000

This instrument prepared by:
David R. Joest
Peabody Coal Company
1951 Barrett Court
Henderson, KY 42420

David R. Joest

EXHIBIT A

TRACT #1: Beginning at a stake in line of Jennie Slayton, corner to property of J. W. Murphy; thence with Jennie Slayton's line N 69 degrees 35' W. 1157 feet to her corner on the bank of Green River; thence with said river bank S. 31 degrees 53' W. 249 feet to a stone with black oak pointer; thence S. 61 degrees 30' E. 1218 feet to a stake, corner of J. W. Murphy; thence N. 20 degrees 30' E. 418 feet to the beginning, containing 9 acres more or less.

TRACT #2: Beginning at a concrete post in line of Wm. Murphy; thence with his line and line of E. A. Atherton N. 61 degrees 15' W. passing Murphy's corner, an iron pin at 127.0 feet a total of 1345.0 feet to a stake on bank of Green River; thence down the river bank S. 36 degrees 45' W. 228.0 feet to a stake; thence with line of Mrs. Grady S. 53 degrees 30' E. 1393.0 feet to a concrete post; thence with a new division line N. 28 degrees 45' E. 410.0 feet to the beginning, containing 10.1 acres.

There was excepted and is excepted herein a road way to be used as an outlet of the Highway by Robert Atherton to be located where it will cause the least damage to the property described in Tract No. 2 and at the same time be convenient to the said Robert Atherton and family. The land described in Tract No. 2 being between the property of Robert Atherton and the Highway.

TRACT #3: Certain tract of land lying in Myhlenberg County Kentucky, and beginning at a stake on the east side of the road leading from Kincheloe Bluff to Nelson, corner to the property of W. M. Murphy on Robert Slaton's line; thence with Murphy's line N. 61 degrees 15' W. 881.0 feet to a concrete post; thence with a New division S. 28 degrees 45' W. 410.0 feet to a concrete post, in line of heirs of Mrs. Grady; thence with her line S. 53 degrees 30' E. 1093.0 feet to a stake in line of Jennie Slaton's; thence S 87 degrees E. 44.0 feet to a stake on East side of new road; thence N. 30 degrees 40' E. 590.5 to the beginning, containing 11.0 acres.

TRACT #4: Beginning at a stone the Southeast corner to Tract No. 3, and running with the New Division Line between Tracts No. 3 and No. 4 N 42 degrees 28' W. 1700 feet to a stone on the South Bank of Green River; thence up the River Bank N. 40 degrees 48' E 228 feet to a stone; thence with the New Division Line Between No. 4 and No. 5 S 53 degrees 45' E 2486 feet to a stake in the Old Line and in the line of C. W. Whitehouse; thence with the Old Line N 87 degrees 17' W. 1004 feet to the beginning, and containing 20 acres, more or less.

It is understood that a power line right-of-way has been reserved by the Kentucky Utilities Company.

TRACT #5: A tract of land, located about three miles North of Central City, and bounded as follows:

Beginning at a point where a stone is now planted, and this point of this tract corners in the lands of C. W. Whitehouse and Nancy Graddy, and running thence with Nancy Graddy's line North 40° 42' W. 125 feet to a stone now planted at the corner of this lot in the line of J. W. Murphy; thence with the line of J. W. Murphy in about a Southerly direction 92 feet to a stone now planted in the line of C. W. Whitehouse, and where this tract and that of J. W. Murphy corner in the property line of said C. W. Whitehouse; thence with the line of C. W. Whitehouse in about an Easterly direction 90 feet to the point of beginning. This tract is a three-sided tract and is cut off of the extreme end of the tract of said J. W. Murphy.

Tracts 1, 2, 3, 4, and 5 being the same property conveyed to Bobby Joe Vincent from William Marshall Kiper and his wife, Evelyn Kiper, by deed dated October 23, 1978 and of record in the office of the Muhlenberg County Court Clerk in Deed Book 330, Page 759.

DOCUMENT NO: 88716
RECORDED ON AUGUST 05, 1998 03:41:25PM
TOTAL FEES: \$14.00
TRANSFER TAX: \$158.00
COUNTY CLERK: GAYLAN SPURLIN
COUNTY: MUHLENBERG COUNTY
DEPUTY CLERK: KATHY SADDLER

BOOK D461 PAGES 48 - 51

THIS DEED OF CONVEYANCE made and entered into this the 19th day of November, 1954, by and between George M. Amos and his wife, Margaret Marie Amos, of R. R. #2, Muhlenberg County, Kentucky, parties of the First Part and The Sentry Royalty Company, a Nevada Corporation, authorized to do business in the State of Kentucky, party of the Second Part,

W I T N E S S E T H:

That the said parties of the First Part for and in consideration of the sum of ONE DOLLAR (\$1.00), and other good and valuable consideration, cash in hand paid, receipt of which is hereby acknowledged, have bargained and sold and do by these presents bargain, sell, alien and convey unto the party of the Second Part, its successors in title and assigns, the following described two lots or parcels of land situated on the waters of Nelson Creek, in Muhlenberg County, Kentucky, and bounded as follows:

TRACT #1: Beginning at a stake on North line of road, the South East corner of Lot No. 2; thence with the road line S. 84 degrees 00' E. 200.0 feet to a stake; thence with a new division line N. 1 degree 00' W. 810.0 feet to a stake; thence S. 89 degrees W. 112.0 feet to a stake; thence N. 1 degree 00' W. 615.0 feet to a stake, an old corner; thence with the old line N. 1 degree 20' W. 344.0 feet to a stake, an old corner; thence N. 86 degrees 50' W. 200.0 feet to a stake, corner to Lot No. 2; thence with Lot No. 2 S. 1 degree 00' E. 941.0 feet to a stake; thence N. 89 degrees 00' E. 113.00 feet to a stake; thence S. 1 degrees 00' E. 815.0 feet to the beginning, containing 8.0 acres.



TRACT #2: Beginning at a stake on North side of road, the South East corner to Lot No. 3; thence with the road line S. 84 degrees 00' E. 199.0 feet to a stone, an old corner thence with the old line N. 1 degree 00' W. 1411.5 feet to a stake; thence N. 84 degrees 30' W. 313.0 feet to a stake, an old corner; and corner to Lot No. 3; thence with Lot No. 3, S. 1 degree 00' E. 615.0 feet to a stake; thence N. 89 degrees 00' E. 112.0 feet to a stake; thence S. 1 degree 00' E. 810.0 feet to the beginning, containing 8.0 acres.

This deed does not convey the coal and mineral rights, the same having been reserved in former deeds of record, which are hereby referred to and made a part hereof.

14

This being the same property conveyed to George M. Amos and his wife, Margaret Marie Amos, or the survivor, by Lula Mae Humphrey and her husband, Truman Humphrey, and Mrs. Shirely Hendricks, a widow, by deed dated June 9, 1951, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 183, page 41.

The parties of the First Part shall have the right to remove the buildings on the property hereinabove described until March 1, 1955, however, in the event said buildings are not removed by March 1, 1955, then and in that event said buildings shall become the property of the party of the Second Part.

TO HAVE AND TO HOLD, the above described property, together with all the appurtenances thereunto belonging, or in anywise appertaining, unto the party of the Second Part, its successors in title and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the parties of the First Part, have hereunto subscribed their names, all the day and date first hereinabove written.

George M. Amos
George M. Amos

Margaret Marie Amos
Margaret Marie Amos

State of Kentucky,
Sct.
County of Muhlenberg,

I, John Webb, Clerk of the Muhlenberg County Court, do hereby certify that the foregoing Deed of Conveyance from George M. Amos and his wife, Margaret Marie Amos, to the Sentry Royalty Company, a Nevada Corporation, was this day produced to me in my County and acknowledged before me in due form of law by the said George M. Amos and his wife, Margaret Marie Amos, parties Grantor thereto, to be their voluntary act and deed.

Given under my hand this the 19th day of November, 1954.

JOHN WEBB, Muhlenberg County Court Clerk

By Bert Topmiller D.C.

George M. Amos and wife,
Margaret Marie Amos

TO: DEED

Sentry Royalty Company

RECORDED IN DEED BOOK 187
PAGE 443

FILED

1954 NOV 20 AM 10:12

JOHN WEBB, CLERK
HICKLERBERG CO. COURT
BY _____ D. C.

110 11/20/54
John Webb

SAM T. JARVIS
ATTORNEY-AT-LAW
First State Bank Bldg.

016-655

BOOK 312 PAGE 213

THIS QUITCLAIM DEED, made and entered into this the 27th day of December, 1974, by and between CHARLES DOSS and wife, NORA DOSS; EUGENE DOSS and wife, WANDA DOSS; and EDITH MORRIS and husband, RICHARD MORRIS, all of Central City, Muhlenberg County, Kentucky; CECIL H. DOSS, a single man of 404 First Avenue, Bogalusa, Washington County, Louisiana; JOE DOSS and wife, GERALDINE DOSS of Evansville, Vanderburgh County, Indiana; and, KENNETH DOSS, a single man of A. P. O. New York, by Eugene Doss, his attorney in fact under power of attorney dated the _____ day of _____, 1974, parties of the First Part, and PEABODY COAL COMPANY, a Delaware corporation, with offices and chief place of business in St. Louis, Missouri, and authorized to do business in the State of Kentucky, party of the Second Part,

W I T N E S S E T H :

That for and in consideration of the sum of TWO THOUSAND TWO HUNDRED EIGHTY (\$2,280.00) DOLLARS, cash in hand paid by the said party of the Second Part unto the said parties of the First Part, the receipt of which is hereby acknowledged, the said parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quitclaim and convey unto the said party of the Second Part, its successors, grantees and assigns, all of their right, title and interest in and to the surface and all coal, oil, gas and all other minerals, in, on, to and underlying the following described tract or parcel of land situated and located in Muhlenberg County, Kentucky, and described as follows:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North $1\frac{1}{2}$ West 1973 feet to a rock; thence North $88\frac{1}{2}$ West 1200 feet to a maple, sweet gum and hackberry; thence North $78\frac{1}{2}$ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South $83\frac{1}{2}$ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South $77\frac{1}{2}$ West 475 feet to a stake; thence South $22\frac{1}{2}$ West 710 feet to a rock; thence South $68\frac{1}{2}$ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North $88\frac{1}{2}$ East 2825 feet to the beginning, containing 160-3/10 acres.

Being the same property acquired by George W. Doss, Sr., and wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and recorded in the office of the Muhlenberg County Court Clerk in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, recorded in the office of the said Clerk in Deed Book 55, page 215; and, deed of conveyance from James Weir, dated August 12, 1904, recorded in the office of the said Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and heirs at law of Elizabeth Doss and husband, George W. Doss, Sr., as shown by affidavit of descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown by the above mentioned affidavit of descent) by virtue of the will of her husband, George W. Doss, Sr., recorded in the office of the Muhlenberg County Court Clerk in Will Book 5, page 88. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr. and thereby under the terms and provisions of the aforesaid will the property passed directly to her children and heirs at law.

George W. Doss, Jr. was one of the eight children of George W. Doss, Sr. and wife, Elizabeth Doss and said George W. Doss, Jr. died intestate on or about October 6, 1958, as shown by affidavit of descent recorded in the office of the said Clerk in Deed Book 208, page 481, and left surviving him, among other heirs, his grandchildren, Eugene Doss, Edith Morris, Kenneth Doss and Joe Doss, parties of the First Part. Said George W. Doss, Jr. also left surviving him as one of his heirs, his son, Adam Doss as shown by said affidavit of descent on George W. Doss, Jr. recorded in the office of the said Clerk in Deed Book 208, page 481; said Adam Doss died intestate on or about June 20, 1963, as shown by affidavit of descent recorded in the office of the said Clerk in Deed Book 271, page 341 and left surviving him, among other heirs, his sons, Charles Doss and Cecil H. Doss, parties of the First Part.

The said parties of the First Part except and reserve unto themselves, their heirs, grantees and assigns, from the above described property any coal in place, if any, commencing with any coal in place above the No. Eleven (#11) vein or seam of coal, and any and all minerals, if any, above the No. Eleven (#11) vein or seam of coal in, to and underlying the following tracts within the boundary of the above described 160-3/10 acres and the descriptions for said exceptions are as follows:

TRACT #1: That property conveyed to T. L. Withrow, by Geo. W. Doss, Sr. and wife, Elizabeth Doss, by deed dated May 16, 1906, of record in the office of the said Clerk in Deed Book 75, page 48, and described as follows:

Beginning at a stone marked D. S. at the intersection of the Hartford and Greenville road with the South Carrollton and Rochester road the stone being located in the corner east of the Hartford & Greenville Road and north of the South Carrollton & Rochester road, and running thence East 186 feet to a stone marked D. S. ; thence North 240 feet to a sweet gum on the bank of Green River; thence in a westerly direction 186 feet to a stone marked D. S. ; thence in a southerly direction 240 feet to the beginning, containing 1 acre, more or less.

TRACT #2: That property conveyed to T. L. Withrow, by George W. Doss, Sr. and wife, Elizabeth Doss, by deed dated October 27, 1906, of record in the office of the said Clerk in Deed Book 75, page 51, and described as follows:

Beginning at a stone south side of Nelson Creek, Slaton's corner running in a southern direction 183 feet with his line to his corner; thence in a western direction 80 feet to a stone; thence in a northern direction parallel with first line 183 feet to stone on the south bank of Nelson Creek; thence up the creek 80 feet to the beginning.

TRACT #3: That property conveyed to T. L. Withrow, by George W. Doss and wife, Elizabeth Doss, by deed dated July 1, 1907, of record in the office of the said Clerk in Deed Book 75, page 52, and described as follows:

Beginning at a stone T. L. Withrow's corner on the bank of Nelson Creek at the river, running West with the River 222 feet to a rock; thence in a southern direction with said Withrow's line 185 feet to a stone; thence in an eastern direction 248 feet to Withrow's corner; thence in a northern direction with his line 185 feet to his corner, the place of beginning.

TRACT #4: That property conveyed to James R. Slaton, by George W. Doss and wife, Elizabeth Doss, by deed dated April 26, 1906, of record in the office of the said Clerk in Deed Book 69, page 463, and described as follows:

Beginning at a stone marked D. S. on the south bank of Nelson Creek running southeast 183 feet to a red elm, Doss' line; thence northeast 227 feet to a persimmon; thence northwest 183 feet to a stone marked D. S. on the bank of Nelson Creek; thence down the creek bank 227 feet to the beginning, containing 1 acre of ground, more or less.

TRACT #5: That property conveyed to Cecil Carson and wife, Geneva Carson, by George W. Doss, Sr. and wife, Eller Doss, by deed dated August 5, 1920, of record in the office of the said Clerk in Deed Book 108, page 558, and described as follows:

Beginning at a planted rock on the east side of the South Carrollton and Paradise Road at the intersection of said road with the Central City and Hartford public road and running thence with the Paradise and South Carrollton road in an eastward direction 270 feet to a planted rock across the road from the residence of Geo. W. Doss, Sr.; thence in a northern direction at right angles 180 feet to a planted rock; thence at right angles and parallel with first line 270 feet to a planted rock; thence at right angles and parallel with second line 180 feet to the beginning corner, containing 1 1/4 acres, more or less.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance to Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references, except as to the above described interests in the five (5) tracts.

TO HAVE AND TO HOLD, all of the right, title and interest of the said parties of the First Part in and to the surface and all coal, oil, gas and all other minerals, except as to the above described five tracts and the interests reserved and excepted therein, unto the said party of the Second Part, its successors, grantees and assigns, forever, with Covenant of Special Warranty of Title.

312 217

IN TESTIMONY WHEREOF, the said parties of the First Part have hereunto caused this instrument to be executed, on this the date first hereinabove written.

Charles H Doss
Charles Doss

Nora Doss
Nora Doss

Eugene Doss

Wanda Doss

Edith Morris

Richard Morris

Cecil H Doss
Cecil H. Doss

Joe Doss

Geraldine Doss

Kenneth Doss, by Eugene Doss, his attorney in fact under power of attorney dated the ____ day of _____, 1974, recorded in the office of the Muhlenberg County Court Clerk in Deed Book _____, page _____.

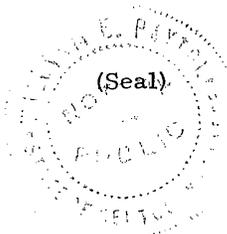
STATE OF KENTUCKY,
MUHLENBERG COUNTY,

SS:

The foregoing DEED OF CONVEYANCE was acknowledged before me on this the 16th day of January, 1976, by Charles Doss and wife, Nora Doss; ~~Eugene Doss and wife, Wanda Doss, and Edith Morris and husband, Richard Morris.~~

William E. Patton
Notary Public

My commission expires: 22 July 1976.



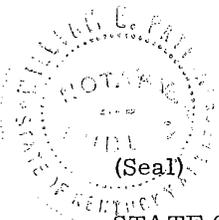
319 2/18

KENTUCKY,
STATE OF LOUISIANA,
MUHLENBERG SS:
COUNTY OF WASHINGTON,

The foregoing DEED OF CONVEYANCE was acknowledged before me on this the 12th day of May, 1975, by Cecil H. Doss, a single man.

William E. Peyton
Notary Public

My commission expires: 22 July 1976.



STATE OF INDIANA,
COUNTY OF VANDERBURGH, SS:

The foregoing DEED OF CONVEYANCE was acknowledged before me on this the _____ day of _____, 197__, by Joe Doss and wife, Geraldine Doss.

Notary Public

My commission expires: _____

(Seal)

STATE OF KENTUCKY,
MUHLENBERG COUNTY, SS:

The foregoing DEED OF CONVEYANCE was acknowledged before me on this the _____ day of _____, 197__, by Eugene Doss, as attorney in fact on behalf of Kenneth Doss, a single man.

Notary Public

My commission expires: _____

(Seal)

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY

I, J. C. ROFFSPINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING Deed WAS LEGALLY FILED FOR RECORD 1-19-76 1:15 PM AND THE SAME, THE FORE-
GONE TO, HAVE BEEN DULY RECORDED THEREIN.
WITNESSED BY ME THIS 20 DAY OF Jan, 1976.

J.C. Roffspinger
CLERK
Anna D. Allen
D.C.

016-655

BOOK 306 PAGE 282

THIS QUITCLAIM DEED, made and entered into this the 9th day of September, 1974, by and between WILLIS UNDERWOOD, a widower; MARY JANE GILBERT, a widow; HASSIE DEVER and husband, JAMES R. DEVER; ELLA B. ALVEY and husband, EDWARD ALVEY; ZELMA A HUTCHINSON, ^{WIDOW,} and husband, ~~EUGENE HUTCHINSON~~; LILLIE DAVIS, a widow, all of Louisville, Jefferson County, Kentucky and BENNIE UNDERWOOD and wife, FLORENCE UNDERWOOD of Sandford, Vigo County, Indiana, parties of the First Part, and PEABODY COAL COMPANY, a Delaware corporation, with offices and chief place of business in St. Louis, Missouri, and authorized to do business in the State of Kentucky, party of the Second Part,

W I T N E S S E T H :

That for and in consideration of the sum of THREE THOUSAND FIVE HUNDRED (\$3,500.00) DOLLARS, cash in hand paid by the said party of the Second Part unto the said parties of the First Part, the receipt of which is hereby acknowledged, the said parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quitclaim and convey unto the said party of the Second Part, its successors, grantees and assigns, all of their right, title and interest in and to the surface and all coal, oil, gas and all other minerals, in, on, to and underlying the following described tract or parcel of land situated and located in Muhlenberg County, Kentucky, and described as follows:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North $1\frac{1}{2}$ West 1973 feet to a rock; thence North $88\frac{1}{2}$ West 1200 feet to a maple, sweet gum and hackberry; thence North $78\frac{1}{2}$ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South $83\frac{1}{2}$ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South $77\frac{1}{2}$ West 475 feet to a stake; thence South $22\frac{1}{2}$ West 710 feet to a rock; thence South $68\frac{1}{2}$ East 1452 feet to a rock; thence South

PROPERTY TRANSFER TAX of \$3.52

1 East 1214 feet to a sweet gum; thence North $88\frac{1}{2}$ East 2825 feet to the beginning, containing 160-3/10 acres.

Being the same property acquired by George W. Doss, Sr., and wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and recorded in the office of the Muhlenberg County Court Clerk in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, recorded in the office of the said Clerk in Deed Book 55, page 215; and, deed of conveyance from James Weir, dated August 12, 1904, recorded in the office of the said Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and heirs at law of Elizabeth Doss and husband, George W. Doss, Sr., as shown by affidavit of descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown by the above mentioned affidavit of descent) by virtue of the will of her husband, George W. Doss, Sr., recorded in the office of the Muhlenberg County Court Clerk in Will Book 5, page 88. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr. and thereby under the terms and provisions of the aforesaid will the property passed directly to her children and heirs at law.

Mary E. Reid Hamilton was one of the eight children of George W. Doss, Sr., and wife, Elizabeth Doss and said Mary E. Reid Hamilton died intestate on or about January 15, 1929, as shown by affidavit of descent recorded in the office of the said Clerk in Deed Book 271, page 297, and left surviving her as one of her heirs her daughter, Delia Reid Underwood.

Said Delia Reid Underwood died intestate on or about the _____ day of August, 1967 and left surviving her as her heirs and only heirs at law having an estate of inheritance in her land, her husband, Willis Underwood, and six children, namely: Lillie Davis, Mary Jane Gilbert, Hassie Dever, Ella B. Alvey, Zelma A. Hutchinson and Bennie Underwood, and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the said Clerk in Deed Book 306, page 281.

The said parties of the First Part except and reserve unto themselves, their heirs, grantees and assigns, from the above described property any coal in place, if any, commencing with any coal in place above the No. Eleven (#11) vein or seam of coal, and any and all minerals, if any, above the No. Eleven (#11) vein or seam of coal in, to and underlying the following tracts within the boundary of the above described 160-3/10 acres and the descriptions for said exceptions are as follows:

TRACT #1: That property conveyed to T. L. Withrow, by Geo. W. Doss, Sr. and wife, Elizabeth Doss, by deed dated May 16, 1906, of record in the office of the said Clerk in Deed Book 75, page 48, and described as follows:

Beginning at a stone marked D. S. at the intersection of the Hartford and Greenville road with the South Carrollton and Rochester road the stone being located in the corner east of the Hartford & Greenville Road and north of the South Carrollton & Rochester road, and running thence East 186 feet to a stone marked D. S.; thence North 240 feet to a sweet gum on the bank of Green River; thence in a westerly direction 186 feet to a stone marked D. S.; thence in a southerly direction 240 feet to the beginning, containing 1 acre, more or less.

TRACT #2: That property conveyed to T. L. Withrow, by George W. Doss, Sr. and wife, Elizabeth Doss, by deed dated October 27, 1906, of record in the office of the said Clerk in Deed Book 75, page 51, and described as follows:

Beginning at a stone south side of Nelson Creek, Slaton's corner running in a southern direction 183 feet with his line to his corner; thence in a western direction 80 feet to a stone; thence in a northern direction parallel with first line 183 feet to stone on the south bank of Nelson Creek; thence up the creek 80 feet to the beginning.

TRACT #3: That property conveyed to T. L. Withrow, by George W. Doss and wife, Elizabeth Doss, by deed dated July 1, 1907, of record in the office of the said Clerk in Deed Book 75, page 52, and described as follows:

Beginning at a stone T. L. Withrow's corner on the bank of Nelson Creek at the river, running West with the River 222 feet to a rock; thence in a southern direction with said Withrow's line 185 feet to a stone; thence in an eastern direction 248 feet to Withrow's corner; thence in a northern direction with his line 185 feet to his corner, the place of beginning.

TRACT #4: That property conveyed to James R. Slaton, by George W. Doss and wife, Elizabeth Doss, by deed dated April 26, 1906, of record in the office of the said Clerk in Deed Book 69, page 463, and described as follows:

Beginning at a stone marked D. S. on the south bank of Nelson Creek running southeast 183 feet to a red elm, Doss' line; thence northeast 227 feet to a persimmon; thence northwest 183 feet to a stone marked D. S. on the bank of Nelson Creek; thence down the creek bank 227 feet to the beginning, containing 1 acre of ground, more or less.

TRACT #5: That property conveyed to Cecil Carson and wife, Geneva Carson, by George W. Doss, Sr. and wife, Eller Doss, by deed dated August 5, 1920, of record in the office of the said Clerk in Deed Book 108, page 558, and described as follows:

Beginning at a planted rock on the east side of the South Carrollton and Paradise Road at the intersection of said road with the Central City and Hartford public road and running thence with the Paradise and South Carrollton road in an eastward direction 270 feet to a planted rock across the road from the residence of Geo. W. Doss, Sr.; thence in a northern direction at right angles 180 feet to a planted rock; thence at right angles and parallel with first line 270 feet to a planted rock; thence at right angles and parallel with second line 180 feet to the beginning corner, containing $1\frac{1}{4}$ acres, more or less.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance to Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references, except as to the above described interests in the five (5) tracts.

TO HAVE AND TO HOLD, all of the right, title and interest of the said parties of the First Part in and to the surface and all coal, oil, gas and all other minerals, except as to the above described five tracts and the interests reserved and excepted therein, unto the said party of the Second Part, its successors, grantees and assigns, forever.

STATE OF KENTUCKY, SCT.
MUHLENBERG COUNTY

I, J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING Deed
WAS LEGALLY LODGED IN MY OFFICE FOR RECORD 12-26-74 10:15 AM AND THE SAME, THE FORE-
GOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THEREIN.
GIVEN UNDER MY HAND THIS THE 27 DAY OF Dec 19 74

J. C. Noffsinger
CLERK

016-655

BOOK 312 PAGE 209

THIS QUITCLAIM DEED, made and entered into this the 27th day of December, 1974, by and between CHARLES DOSS and wife, NORA DOSS; EUGUEN DOSS and wife, WANDA DOSS; and EDITH MORRIS and husband, RICHARD MORRIS, all of Central City, Muhlenberg County, Kentucky; CECIL H. DOSS, a single man, of 404 First Avenue, Bogalusa, Washington County, Louisiana; JOE DOSS and wife, GERALDINE DOSS of Evansville, Vanderburgh County, Indiana; and, KENNETH DOSS and wife, NORMA C DOSS, of A. P. O. New York, parties of the First Part, and PEABODY COAL COMPANY, a Delaware corporation, with offices and chief place of business in St. Louis, Missouri, and authorized to do business in the State of Kentucky, party of the Second Part,

PROPERTY TRANSFER TAX of \$2,280.00

W I T N E S S E T H :

That for and in consideration of the sum of TWO THOUSAND TWO HUNDRED EIGHTY (\$2,280.00) DOLLARS, cash in hand paid by the said party of the Second Part unto the said parties of the First Part, the receipt of which is hereby acknowledged, the said parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quitclaim and convey unto the said party of the Second Part, its successors, grantees and assigns, all of their right, title and interest in and to the surface and all coal, oil, gas and all other minerals, in, on, to and underlying the following described tract or parcel of land situated and located in Muhlenberg County, Kentucky and described as follows:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North $1\frac{1}{2}$ West 1973 feet to a rock; thence North $88\frac{1}{2}$ West 1200 feet to a maple, sweet gum and hackberry; thence North $78\frac{1}{2}$ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South $83\frac{1}{2}$ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South $77\frac{1}{2}$ West 475 feet to a stake; thence South $22\frac{1}{2}$ West 710 feet to a rock; thence South $68\frac{1}{2}$ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North $88\frac{1}{2}$ East 2825 feet to the beginning, containing 160-3/10 acres.

BOOK 312 PAGE 208

Being the same property acquired by George W. Doss, Sr., and wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and recorded in the office of the Muhlenberg County Court Clerk in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, recorded in the office of the said Clerk in Deed Book 55, page 215; and, deed of conveyance from James Weir, dated August 12, 1904, recorded in the office of the said Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and heirs at law of Elizabeth Doss and husband, George W. Doss, Sr., as shown by affidavit of descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown by the above mentioned affidavit of descent) by virtue of the will of her husband, George W. Doss, Sr., recorded in the office of the Muhlenberg County Court Clerk in Will Book 5, page 88. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr. and thereby under the terms and provisions of the aforesaid will the property passed directly to her children and heirs at law.

George W. Doss, Jr. was one of the eight children of George W. Doss, Sr. and wife, Elizabeth Doss and said George W. Doss, Jr. died intestate on or about October 6, 1958, as shown by affidavit of descent recorded in the office of the said Clerk in Deed Book 208, page 481, and left surviving him, among other heirs, his grandchildren, Eugene Doss, Edith Morris, Kenneth Doss and Joe Doss, parties of the First Part. Said George W. Doss, Jr. also left surviving him as one of his heirs, his son, Adam Doss as shown by said affidavit of descent on George W. Doss, Jr. recorded in the office of the said Clerk in Deed Book 208, page 481; said Adam Doss died intestate on or about June 20, 1963, as shown by affidavit of descent recorded in the office of the said Clerk in Deed Book 271, page 341 and left surviving him, among other heirs, his sons, Charles Doss and Cecil H. Doss, parties of the First Part.

The said parties of the First Part except and reserve unto themselves, their heirs, grantees and assigns, from the above described property any coal in place, if any, commencing with any coal in place above the No. Eleven (#11) vein or seam of coal, and any and all minerals, if any, above the No. Eleven (#11) vein or seam of coal in, to and underlying the following tracts within the boundary of the above described 160-3/10 acres and the descriptions for said exceptions are as follows:

TRACT #1: That property conveyed to T. L. Withrow, by Geo. W. Doss, Sr. and wife, Elizabeth Doss, by deed dated May 16, 1906, of record in the office of the said Clerk in Deed Book 75, page 48, and described as follows:

Beginning at a stone marked D. S. at the intersection of the Hartford and Greenville road with the South Carrollton and Rochester road the stone being located in the corner east of the Hartford & Greenville Road and north of the South Carrollton & Rochester road, and running thence East 186 feet to a stone marked D. S.; thence North 240 feet to a sweet gum on the bank of Green River; thence in a westerly direction 186 feet to a stone marked D. S.; thence in a southerly direction 240 feet to the beginning, containing 1 acre, more or less.

TRACT #2: That property conveyed to T. L. Withrow, by George W. Doss, Sr. and wife, Elizabeth Doss, by deed dated October 27, 1906, of record in the office of the said Clerk in Deed Book 75, page 51, and described as follows:

Beginning at a stone south side of Nelson Creek, Slaton's corner running in a southern direction 183 feet with his line to his corner; thence in a western direction 80 feet to a stone; thence in a northern direction parallel with first line 183 feet to stone on the south bank of Nelson Creek; thence up the creek 80 feet to the beginning.

TRACT #3: That property conveyed to T. L. Withrow, by George W. Doss and wife, Elizabeth Doss, by deed dated July 1, 1907, of record in the office of the said Clerk in Deed Book 75, page 52, and described as follows:

Beginning at a stone T. L. Withrow's corner on the bank of Nelson Creek at the river, running West with the River 222 feet to a rock; thence in a southern direction with said Withrow's line 185 feet to a stone; thence in an eastern direction 248 feet to Withrow's corner; thence in a northern direction with his line 185 feet to his corner, the place of beginning.

TRACT #4: That property conveyed to James R. Slaton, by George W. Doss and wife, Elizabeth Doss, by deed dated April 26, 1906, of record in the office of the said Clerk in Deed Book 69, page 463, and described as follows:

Beginning at a stone marked D. S. on the south bank of Nelson Creek running southeast 183 feet to a red elm, Doss' line; thence northeast 227 feet to a persimmon; thence northwest 183 feet to a stone marked D. S. on the bank of Nelson Creek; thence down the creek bank 227 feet to the beginning, containing 1 acre of ground, more or less.

TRACT #5: That property conveyed to Cecil Carson and wife, Geneva Carson, by George W. Doss, Sr. and wife, Eller Doss, by deed dated August 5, 1920, of record in the office of the said Clerk in Deed Book 108, page 558, and described as follows:

Beginning at a planted rock on the east side of the South Carrollton and Paradise Road at the intersection of said road with the Central City and Hartford public road and running thence with the Paradise and South Carrollton road in an eastward direction 270 feet to a planted rock across the road from the residence of Geo. W. Doss, Sr.; thence in a northern direction at right angles 180 feet to a planted rock; thence at right angles and parallel with first line 270 feet to a planted rock; thence at right angles and parallel with second line 180 feet to the beginning corner, containing 1 1/4 acres, more or less.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance to Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references, except as to the above described interests in the five (5) tracts.

TO HAVE AND TO HOLD, all of the right, title and interest of the said parties of the First Part in and to the surface and all coal, oil, gas and all other minerals, except as to the above described five tracts and the interests reserved and excepted therein, unto the said party of the Second Part, its successors, grantees and assigns, forever, with Covenant of Special Warranty of Title.

312 211

IN TESTIMONY WHEREOF, the said parties of the First Part
have hereunto caused this instrument to be executed, on this the date first
hereinabove written.

Charles Doss

Nora Doss

Eugene Doss
Eugene Doss

Wanda Doss
Wanda Doss

Edith Morris
Edith Morris

Richard Morris
Richard Morris

THIS INSTRUMENT
PREPARED
BY *William E. Payton*
WILLIAM E. PAYTON
ATTORNEY AT LAW
GREENVILLE, KY. 42345

Cecil H. Doss

Joe Doss
Joe Doss

Geraldine Doss
Geraldine Doss

X *Kenneth W. Doss*
Kenneth Doss

X *Norma C. Doss*
Wife of Kenneth Doss

STATE OF INDIANA,
SS:
COUNTY OF VANDERBURGH,

The foregoing DEED OF CONVEYANCE was acknowledged before
me on this the 31 day of December, 1975, by Joe Doss and wife,
Geraldine Doss.

William F. Fowley
Notary Public

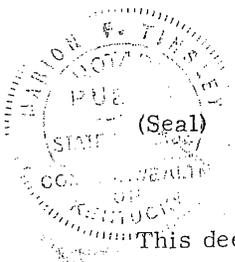
My commission expires: February 24, 1977



312 212

IN THE UNITED STATES ARMED FORCES, STATE OF Ky., Muhlenberg Co.;

The foregoing DEED OF CONVEYANCE was acknowledged before me on this the 31 day of December, 1975, by Kenneth Doss and wife, NORMA C. Doss.



Barton F. Tinsley
Name and Capacity and expiration of
Notary Commission if any
February 24, 1977
Commission Expires

This deed has been executed, acknowledged and delivered in counterpart.

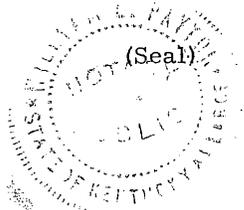
STATE OF KENTUCKY,
MUHLENBERG COUNTY,

SS:

The foregoing DEED OF CONVEYANCE was acknowledged before me on this the 31st day of DECEMBER, 1975, by Eugene Doss and wife, Wanda Doss and by Edith Morris and husband, Richard Morris.

William E. Patton
Notary Public

My commission expires: 22 July 1976.



STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY

I, J. J. WILSON, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING deed WAS DEPOSITED IN MY OFFICE FOR RECORD 1-19-76 1:15 P.M. AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THEREIN.
GIVEN UNDER MY HAND THIS THE 20 DAY OF Jan, 1976.

J. J. Wilson
CLERK
Anna D. Allen
A.C.

575

016-655

THIS DEED OF CONVEYANCE, made and entered into this the 16th day of February, 1970, by and between WILLIAM JOE DOSS, JEFF DOSS, and DAVID DOSS, all infants under 14 years of age by KAYE BERRY, their Statutory Guardian, of Evansville, Vanderburgh County, Indiana, parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of Nine Dollars and Eighty-One Cents (\$9.81), cash in hand paid, the receipt of which is hereby acknowledged, the said parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit-claim and convey unto the party of the Second Part, its successors, grantees and assigns, all of the right, title and interest of William Joe Doss, Jeff Doss and David Doss, in and to the surface and all coal, oil, gas and all other mineral, in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner; running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

Being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the

This is to certify that PROPERTY TAXES \$ 50 were collected this date, 12-29-70 by *[Signature]* Clerk D.C.

Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same property in which the grantors, William Joe Doss, Jeff Doss and David Doss, acquired an interest by virtue of inheritance from Virgil Doss (Virgil Doss was a son of George W. Doss, Jr., and George W. Doss, Jr. was the son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 274, page 447.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, the said Party of the First Part, Kaye Berry, has hereunto caused this instrument to be executed, this the day and year first hereinabove written.

Kaye Berry
William Joe Doss, Jeff Doss and David Doss, by Kaye Berry, their Statutory Guardian

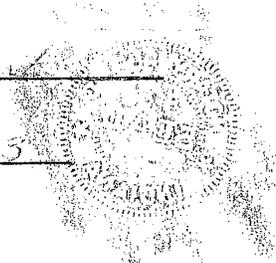
STATE OF INDIANA,
SS.
COUNTY OF VANDERBURGH,

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from William Joe Doss, Jeff Doss and David Doss, by Kaye Berry, their Statutory Guardian, unto Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Kaye Berry, as Statutory Guardian of William Joe Doss, Jeff Doss and David Doss, all infants, under 14 years of age, to be her free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 16th day of February, 1970.

Robert M. Clark
Notary Public

My commission expires: January 24th 1973



CERTIFICATE OF COMPLIANCE WITH KRS 162.339
NOT TO BE RECORDED UNLESS PREPARED BY JARVIS,
CORNETT & PATTON, ATTORNEYS AT LAW, O'BRYEN
COURT BUILDING, GREENVILLE, KENTUCKY 40345.
William E. Patton
WILLIAM E. PATTON, ATTORNEY AND MEMBER OF BAR.

MUHLENBERG CIRCUIT COURT
Civil Action # 6118

KAYE BERRY, Statutory Guardian
of WILLIAM JOE DOSS, JEFF DOSS
and DAVID DOSS, all infants under
14 years of age,

PLAINTIFF,

vs. APPROVAL BY COURT

WILLIAM JOE DOSS, JEFF DOSS
and DAVID DOSS, all infants
under 14 years of age,

DEFENDANTS.

Examined, authorized, approved and confirmed and ordered
to be delivered all of which is more fully shown by order and judg-
ment of this Court dated the 22nd day of December, 1970,
appearing of record in the office of the Muhlenberg Circuit Court
Clerk in Civil Order Book 65, page 584.

This the 22nd day of December, 1970.

Arthur T. Iler
Arthur T. Iler, Judge
Muhlenberg Circuit Court

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,
J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FORE-
GOING deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD
12-29-70 10:23 AM AND THE SAME, THE FOREGOING, AND THIS
CERTIFICATE HAVE BEEN DULY RECORDED THERE IN Jan. 19 71
GIVEN UNDER MY HAND THIS THE _____ DAY OF _____

J. C. Noffsinger
CLERK

Shila Benton, Sec.

016-655

122

THIS QUIT CLAIM DEED, made and entered into this the 29 day of July, 1969, by and between HARDING A. SMITH and his wife, ARLENE F. SMITH, of Dallas, Dallas County, Texas, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of TWO HUNDRED (\$200.00) DOLLARS, cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

Being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$.50 WGS collected this date. 7-21-69 J. L. Hoffmann Clerk William M. DeLoach Dist.

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor, Harding A. Smith, acquired by virtue of inheritance from Alva Lee Smith (Alva Lee Smith was a son of Carrie Smith and Carrie Smith was a daughter of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 272, page 131.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

016-655

THIS QUIT CLAIM DEED, made and entered into this the 1st day of July, 1969, by and between GERTRUDE SMITH MARTIN and her husband, DON MARTIN, of St. Louis, Missouri, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of TWO HUNDRED (\$200.00) DOLLARS, cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

Being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$ 2.00 was collected this date. 7-4-69. *W. H. Doss, Sr.* Clerk. *W. H. Doss, Sr.* D.C.

130

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the affidavit of descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same interest in which the grantor, Gertrude Smith Martin, acquired by virtue of inheritance from Carrie Smith (Carrie Smith was a daughter of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 272, page 125.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 382.333
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FIRM

Gertrude Smith Martin
Gertrude Smith Martin
Don Martin
Don Martin

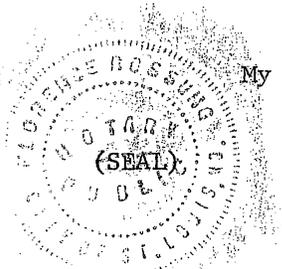
STATE OF MISSOURI,
SS.
CITY OF ST. LOUIS,

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Gertrude Smith Martin and her husband, Don Martin, to Peabody Coal Company was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Gertrude Smith Martin and her husband, Don Martin, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 12th day of July, 1969.

Florence Brossing
Notary Public

My commission expires: May 10, 1973



STATE OF KENTUCKY, SCT,
MUHLENBERG COUNTY,

J. C. NEFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING WAS LEGALLY LODGED IN MY OFFICE FOR RECORD, AND THE SAME, THE FOREGOING, AND THIS DATE HAVE BEEN DULY RECORDED THERE IN 3 DAY OF Aug, 1969
GIVEN UNDER MY HAND THIS THE 8 DAY OF Aug, 1969

J. C. Neffsinger
Mona McElroy CLERK

016-655

126

THIS QUIT CLAIM DEED, made and entered into this the 24TH day of July, 1969, by and between OSCAR S. SMITH and his wife, HELEN C. SMITH, of St. Louis, Missouri, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of TWO HUNDRED (\$200.00) DOLLARS, cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

Being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$.50 was collected the date 7-24-69
Helen C. Smith, Clerk
Oscar S. Smith, Deed

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same interest in which the grantor, Oscar S. Smith, acquired by virtue of inheritance from Carrie Smith (Carrie Smith was the daughter of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 272, page 125.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

128

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

Oscar S. Smith
Oscar S. Smith

Helen C. Smith
Wife of Oscar S. Smith

STATE OF MISSOURI,
SS.
CITY OF ST. LOUIS,

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Oscar S. Smith, et ux., to Peabody Coal Company was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Oscar S. Smith and his wife, Helen C. Smith, to be their free and voluntary act and deed for the uses and purposes therein set forth.



Given under my hand and seal of office, this the 24th day of July, 1969.

J. J. Dickma
Notary Public

My commission expires: May 14, 1970

(SEAL)

CERTIFICATE OF COMPLIANCE WITH KRS 382.335
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FRM

016-655

299

THIS QUITCLAIM DEED, made and entered into this the 18th day of June, 1969, by and between ANNA BELLE MORRIS and her husband, JAMES R. MORRIS, of South Carrollton, Muhlenberg County, Kentucky, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of TWO HUNDRED DOLLARS (\$200.00), and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit-claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$.52 was collected this date 6-24-69
[Signature]
D.C.

300 Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and therefore by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor, Anna Belle Morris, acquired her interest by virtue of inheritance from Mary E. Reid Hamilton and Martha Hamilton as shown by Affidavit of Descent recorded in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 297.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

016-655

249

THIS QUITCLAIM DEED, made and entered into this the 1st day of ~~July~~ ^{AUGUST}, 1969, by and between VEALIER REID, a widow, XXXXXXXXXXXXXXXXXXXXXX of Collinsville, Madison County, Illinois, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of \$ 100.⁰⁰, cash in hand paid, the receipt of which is hereby acknowledged, the said Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quitclaim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas, and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and boundd and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross¹'s corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River, thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County

This is to certify that PROPERTY TRANSFER TAX of \$ 50 was collected this date. 8-15-69
D. L. McHenry Clerk
Muhlenberg County, Ky.

250

Court Clerk in Deed Book 55, page 215; Deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property acquired by Elizabeth Doss by virtue of the Will of her husband, George W. Doss, Sr., by his Will duly probated and recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss as shown by the affidavit of descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

Being the same property acquired by the grantor, Vealier Reid, by virtue of inheritance from George Reid (George Reid was a son of Mary E. Reid Hamilton and Mary E. Reid Hamilton was a daughter of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 272, page 236.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest, in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

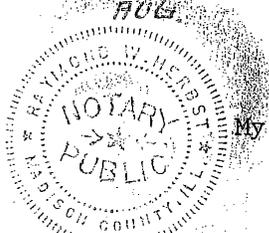
IN TESTIMONY WHEREOF, I hereunto set my hand to this deed the day and year first hereinabove written.

Vealier Reid
Vealier Reid

STATE OF ILLINOIS SS.
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance to Peabody Coal Company was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Vealier Reid, a widow, to be her free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 1 day of July, 1969.



Raymond W. Herbst
Notary Public

My commission expires: Sept 12, 1969.

CERTIFICATE OF COMPLIANCE WITH K-1 102.306
THE FOREGOING INSTRUMENT WAS PREPARED BY & VIS,
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE KENTUCKY 40345,
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FIRM

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING Deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD. 8-17-69 AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE 19 DAY OF Aug, 1969.

J. C. Noffsinger
Clerk

016-655

237

THIS QUITCLAIM DEED, made and entered into this the 31st day of July, 1969, by and between MONA JOY HINDALL and her husband, J. T. HINDALL of Elizabethtown, Hardin County, Illinois, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of \$ 25.00, cash in hand paid, the receipt of which is hereby acknowledged, the said Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quitclaim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas, and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River, thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Dead Book 59, page 65; Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County

This is to certify that PROPERTY TRANSFER TAX of \$ _____ was collected this date, _____ 1969, by _____ Clerk D.C.

Court Clerk in Deed Book 55, page 215; Deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property acquired by Elizabeth Doss by virtue of the Will of her husband, George W. Doss, Sr., by his Will duly probated and recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss as shown by the affidavit of descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

Being the same property acquired by the grantor, Mona Joy Hindall, by virtue of inheritance from George Reid (George Reid was a son of Mary E. Reid Hamilton and Mary E. Reid Hamilton was a daughter of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 212, page 236.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest, in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

Mona Joy Hindall
Mona Joy Hindall

J. T. Hindall
J. T. Hindall



STATE OF ILLINOIS SS.
COUNTY OF HARDIN

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance to Peabody Coal Company was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Mona Joy Hindall and her husband, J. T. Hindall, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 31 day of July, 1969.

Ron Staw
Notary Public



My commission expires: April 29, 1970

CERTIFICATE OF COMPLIANCE WITH KRS 382.335
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.
William L. Payton
WILLIAM L. PAYTON, ATTORNEY AND MEMBER OF FIRM

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING
WAS LEGALLY LODGED IN MY OFFICE FOR RECORD.
AND THE SAME, THE FOREGOING, AND THIS
CERTIFICATE HAVE BEEN DULY RECORDED THERE IN
GIVEN UNDER MY HAND THIS THE 13 DAY OF July, 1969

J. C. Noffsinger
CLERK

246

016-655

THIS QUITCLAIM DEED, made and entered into this the 31st day of July, 1969, by and between GLENDON REID and his wife, BELVA REID of Chesterton, Porter County, Indiana, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of \$ 25.⁰⁰ cash in hand paid, the receipt of which is hereby acknowledged, the said Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quitclaim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas, and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bound and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River, thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County

This is to certify that PROPERTY TRANSFER TAX of \$ 1.50 was collected this date. 1969
 Clerk [Signature] D.C.
 D.C.

Court Clerk in Deed Book 55, page 215; Deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property acquired by Elizabeth Doss by virtue of the Will of her husband, George W. Doss, Sr., by his Will duly probated and recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss as shown by the affidavit of descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

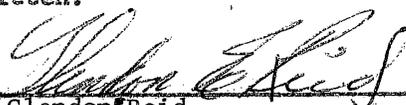
Being the same property acquired by the grantor, Glendon Reid, by virtue of inheritance from George Reid (George Reid was a son of Mary E. Reid Hamilton and Mary E. Reid Hamilton was a daughter of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 222, page 236.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest, in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.


Glendon Reid


Belva Reid

248

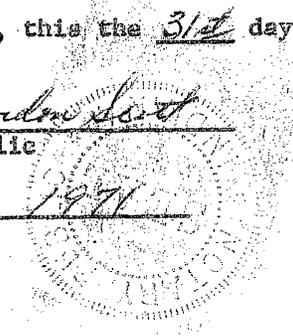
STATE OF INDIANA SS.
COUNTY OF PORTER

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance to Peabody Coal Company was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Glendon Reid and his wife, Belva Reid, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 31st day of July, 1969.

Ernest Gordon Scott
Notary Public

My commission expires: December 29, 1971



CERTIFICATE OF COMPLIANCE WITH K.S.A. 20-333
THE FOREGOING INSTRUMENT WAS FILED BY JARVIS
CORNETTE & PAYTON, ATTORNEYS AT LAW, COURTYAN
COURT BUILDING, GREENVILLE, KENTUCKY 40345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF THE BAR.

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,
J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FORE-
GOING WAS LEGALLY LODGED IN MY OFFICE FOR RECORD.
..... AND THE SAME, THE FOREGOING, AND THIS
CERTIFICATE HAVE BEEN DULY RECORDED THERE IN
..... DAY OF, 19

J. C. Noffsinger
CLERK

016-655

240

THIS QUITCLAIM DEED, made and entered into this the 2ND day of August, 1969, by and between JAMES D. REID and his wife,

MARIETTA REID of Collinsville, Madison County, Illinois

Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

WITNESSETH:

That for and in consideration of the sum of \$ 25.00 cash in hand paid, the receipt of which is hereby acknowledged, the said Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quitclaim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas, and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River, thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-9/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County

This is to certify that PROPERTY TRANSFER TAX of \$ _____ was collected this date. Clerk R-6

Court Clerk in Deed Book 55, page 215; Deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property acquired by Elizabeth Doss by virtue of the Will of her husband, George W. Doss, Sr., by his Will duly probated and recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss as shown by the affidavit of descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

Being the same property acquired by the grantor, James D. Reid, by virtue of inheritance from George Reid (George Reid was a son of Mary E. Reid Hamilton and Mary E. Reid Hamilton was a daughter of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 212, page 236.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest, in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

James D. Reid
James D. Reid

Marietta Reid
Marietta Reid

016-655 243

THIS QUITCLAIM DEED, made and entered into this the 1st day of ~~July~~ ^{August}, 1969, by and between GEORGE G. REID, a single man, XXXXXXXXXXXXXXXXXXXXXXX of Collinsville, Madison County, Illinois, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of \$ 25.00, cash in hand paid, the receipt of which is hereby acknowledged, the said Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quitclaim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas, and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1 1/2 West 1973 feet to a rock; thence North 88 1/2 West 1200 feet to a maple, sweet gum and hackberry; thence North 78 1/2 West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83 1/2 West 200 feet, North 81 West 820 feet to a stake on the bank of Green River, thence with the meanders of the river South 77 1/2 West 475 feet to a stake; thence South 22 1/2 West 710 feet to a rock; thence South 68 1/2 East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88 1/2 East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County

This is to certify that PROPERTY TRANSFER TAX of \$ 2.50 was collected this date 8-15-69
J. S. Applegate, Clerk
Muhlenberg County, D.C.

Court Clerk in Deed Book 55, page 215; Deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property acquired by Elizabeth Doss by virtue of the Will of her husband, George W. Doss, Sr., by his Will duly probated and recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss as shown by the affidavit of descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

Being the same property acquired by the grantor, George G. Reid, by virtue of inheritance from George Reid (George Reid was a son of Mary E. Reid Hamilton and Mary E. Reid Hamilton was a daughter of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 272, page 236.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest, in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, I hereunto set my hands to this deed the day and year first hereinabove written.

George G. Reid
George G. Reid

STATE OF ILLINOIS SS.
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance to Peabody Coal Company was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by George G. Reid, a single man, to be his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 1 day of July, 1969.



Raymond W. Herbst
Notary Public

My commission expires: Sept 17, 1969

CERTIFICATE OF COMPLIANCE WITH KRS 382.355
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 40345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FIRM

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

J. C. NOWYSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING
GOING 1 WAS LEGALLY LODGED IN MY OFFICE FOR RECORD, AND THE SAME, THE FOREGOING, AND THIS
CERTIFICATE HAVE BEEN DULY RECORDED THEREIN
GIVEN UNDER MY HAND THIS THE 17 DAY OF Aug, 1969

J. C. Nowysinger

CLERK

016-655 303

THIS QUITCLAIM DEED, made and entered into this the 20th day of June, 1969, between ELSIE CARNEAL and her husband, BERNARD CARNEAL, of Clarksville, Montgomery County, Tennessee, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE HUNDRED (\$100.00) DOLLARS, and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quitclaim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$ 50.⁰⁰ was collected this date 6/24/69 by J. B. Hoffmann, Clerk D.C.

304 Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and therefore by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor, Elsie Carneal, acquired her interest by virtue of inheritance from Shelby Doss as shown by Affidavit of Descent recorded in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 302; said Shelby Doss was a son of Louis W. Doss as shown by Affidavit of Descent recorded in the office of the said Clerk in Deed Book 160, page 280.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 382.333
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.
William L. Payton
WILLIAM L. PAYTON, ATTORNEY AND MEMBER OF FIRM

Elsie Carneal

Elsie Carneal
Bernard Carneal

Bernard Carneal

STATE OF TENNESSEE,
SS.
COUNTY OF MONTGOMERY,

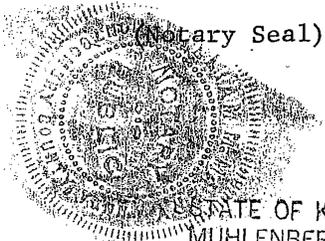
I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing Deed of Conveyance from Elsie Carneal and her husband, Bernard Carneal, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Elsie Carneal and her husband, Bernard Carneal, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 20 day of June, 1969.

William W. Mahy

Notary Public

My commission expires: 12 July 1969



STATE OF KENTUCKY, SCT:
MUHLENBERG COUNTY,
I, J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING Deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD ON 6-24-69 10:00 A.M. AND THE SAME THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE 27 DAY OF June, 1969

J. C. Noffsinger

Clerk

016-655

436

THIS QUITCLAIM DEED, made and entered into this the 12th day of June, 1969, by and between PAUL DOSS and his wife, IRENE DOSS, of Detroit, Wayne County, Michigan, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE HUNDRED (\$100.00) DOLLARS, cash in hand paid, the receipt of which is hereby acknowledged, the said Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quitclaim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas, and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River, thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of Conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; Deed of Conveyance from H. T. Duncan and wife, Sallie C. D. Duncan,

This is to certify that PROPERTY TRANSFER TAX of \$ 50 was collected this date 7-13-69
J. E. Hoffmann, Clerk
J. E. Hoffmann, Clerk

dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; Deed of Conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property acquired by Elizabeth Doss by virtue of the Will of her husband, George W. Doss, Sr., by his Will duly probated and recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130. Louis W. Doss being one of the eight children of George W. Doss, Sr., and wife, Elizabeth Doss, as shown by the above mentioned Affidavit of Descent of the said Elizabeth Doss.

Being the same property acquired by the grantor, Paul Doss, by virtue of inheritance from Louis W. Doss and his wife, Luella Doss, and all of which matters of intestacy are set forth in affidavit of descent form in the office of the Muhlenberg County Court Clerk in Deed Book 160, page 280.

ADJOINING LANDS, ESTATES AND MINERALS

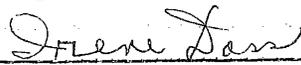
This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest, in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, I hereunto set my hand to this deed the day and year first hereinabove written.



 Paul Doss



 Irene Doss

438

STATE OF MICHIGAN,
SS.
COUNTY OF WAYNE,

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing Deed of Conveyance from Paul Doss and his wife, Irene Doss, to Peabody Coal Company, was this day produced in my county and state aforesaid and acknowledged before me in due form of law by Paul Doss and his wife, Irene Doss, to be their free and voluntary act and deed for the uses and purposes therein set forth.

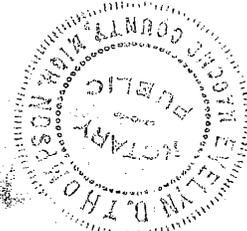
Given under my hand and seal of office, this the 30 day of June, 1969.

Evelyn B. Thompson
Notary Public

My commission expires: Nov. 3 1972

EVELYN B. THOMPSON
Notary Public, Macomb County, Mich.
My Commission Expires Nov. 3, 1972

CERTIFICATE OF COMPLIANCE WITH K.S. 22-2-3
THE FOREGOING INSTRUMENT WAS PREPARED BY J.A.V.
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FIRM



STATE OF KENTUCKY, SCT.
MUHLENBERG COUNTY,

I, J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING
7-10-69 9:30 AM July 1969
WAS LEGALLY LODGED IN MY OFFICE FOR RECORD. AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN
GIVEN UNDER MY HAND THIS THE 11th **DAY OF** July **, 19** 69

J. C. Noffsinger
CLERK

602

016-655

THIS QUITCLAIM DEED, made and entered into this
 the 14th day of Dec, 1947, by and
 between ALICE SKINNER, a widow, of West Palm Beach, Florida,
 and OPAL WOLCOTT, a widow, of West Palm Beach, Florida,
 parties of the First Part, and SENTRY ROYALTY COMPANY, a
 Nevada Corporation, authorized to do business in the State
 of Kentucky, party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE
 (\$1.00) DOLLAR and other good and valuable consideration,
 cash in hand paid, the receipt of which is hereby acknowledged,
 the parties of the First Part have bargained and sold and do
 by these presents bargain, sell, alien, quit-claim and convey
 unto the party of the Second Part all of their right, title
 and interest in and to the surface and all coal, oil, gas and
 all other mineral in, on and underlying the following described
 tract or parcel of land situated in Muhlenberg County, Kentucky,
 and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum,
 J. W. Ross's corner, running thence North
 1-1/2 West 1973 feet to a rock; thence
 North 88-1/2 West 1200 feet to a maple,
 sweet gum and hackberry; thence North
 78-1/2 West 1188 feet to a stake on the
 bank of a creek; thence with the meanders
 of the creek South 83-1/2 West 200 feet,
 North 81 West 820 feet to a stake on the
 bank of Green River; thence with the
 meanders of the river South 77-1/2 West
 475 feet to a stake; thence South 22-1/2
 West 710 feet to a rock; thence South
 68-1/2 East 1452 feet to a rock; thence
 South 1 East 1214 feet to a sweet gum;
 thence North 88-1/2 East 2825 feet to
 the beginning, containing 160-3/10 acres.



This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130. Louis W. Doss being one of the eight children of George W. Doss, Sr., and wife, Elizabeth Doss, as shown by the above mentioned Affidavit of Descent of said Elizabeth Doss.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and therefore by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same property in which the grantors herein, Alice Skinner, a widow, and Opal Wolcott, a widow, acquired their interest by virtue of their being children and heirs at law of Louis W. Doss, and his wife, Luella Doss, as shown by affidavit of descent recorded in the office of the Muhlenberg County Court Clerk in Deed Book 160, page 280.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Sentry Royalty Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest, in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 382.335
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.

Sam T. Jarvis
SAM T. JARVIS, ATTORNEY AND MEMBER OF FIRM.

Alice Skinner
Alice Skinner

Opal Wolcott
Opal Wolcott

STATE OF Florida,
COUNTY OF Palm Beach,

SS:



I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing Deed of Conveyance from Alice Skinner, a widow, and Opal Wolcott, a widow, to Sentry Royalty Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Alice Skinner and Opal Wolcott to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 14 day of Dec., 1967.

My commission expires: Oct 10 - 1970.

(Notary Seal)

J. S. Ballenger
Notary Public

016-655

158 THIS QUITCLAIM DEED, made and entered into this the 12th day of July, 1969, by and between HUBERT DOSS and his wife, LOUISE DOSS, of Evansville, Vanderburgh County, Indiana, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE HUNDRED (\$100.00) DOLLARS, cash in hand paid, the receipt of which is hereby acknowledged, the said Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quitclaim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas, and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River, thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of Conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; Deed of Conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office

This is to certify that PROPERTY TRANSFER TAX of \$5.00 collected this date, 7-14-69. *[Signature]* Clerk D.C.

of the Muhlenberg County Court Clerk in Deed Book 55, page 215; Deed of Conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property acquired by Elizabeth Doss by virtue of the Will of her husband, George W. Doss, Sr., by his Will duly probated and recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss as shown by the affidavit of descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130. Louis W. Doss being one of the eight children of George W. Doss, Sr., and wife, Elizabeth Doss, as shown by the above mentioned affidavit of descent of the said Elizabeth Doss.

Being the same property acquired by the grantor, Hubert Doss, by virtue of inheritance from Louis W. Doss (Louis W. Doss was a son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 160, page 280.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest, in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.


Hubert Doss


Louise Doss

016-655

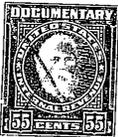
127

THIS QUITCLAIM DEED, made and entered into this the 20th day of September, 1967, by and between DAISY MURPHY, a widow, of Central City, Muhlenberg County, Kentucky, Party of the First Part, and SENTRY ROYALTY COMPANY, a Nevada Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE (\$1.00) DOLLAR and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Party of the First Part has bargained and sold and does by these presents bargain, sell, alien, quitclaim and convey unto the Party of the Second Part all of her right, title and interest in and to the surface and all coal, oil, gas, and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1-1/2 West 1973 feet to a rock; thence North 88-1/2 West 1200 feet to a maple, sweet gum and hackberry; thence North 78-1/2 West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83-1/2 West 200 feet, North 81 West 820 feet to a stake on the bank of Green River, thence with the meanders of the river South 77-1/2 West 475 feet to a stake; thence South 22-1/2 West 710 feet to a rock; thence South 68-1/2 East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88-1/2 East 2825 feet to the beginning, containing 160-3/10 acres.



This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of Conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County

Court in Deed Book 59, page 65; Deed of Conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; Deed of Conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property acquired by Elizabeth Doss by virtue of the Will of her husband, George W. Doss, Sr., by his Will duly probated and recorded in the office of the Clerk of the of the Muhlenberg County Court in Will Book 5, page 88.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130. Louis W. Doss being one of the eight children of George W. Doss, Sr., and wife, Elizabeth Doss, as shown by the above mentioned Affidavit of Descent of the said Elizabeth Doss.

Being the same property in which the grantor herein, Daisy Murphy, acquired her interest by virtue of her being a child and heir at law of Louis W. Doss, and his wife, Luella Doss, as shown by Affidavit of Descent recorded in the office of the Muhlenberg County Court Clerk in Deed Book 160, page 280.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Sentry Royalty Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing descriptions or title references.

TO HAVE AND TO HOLD, all of the grantor's right, title and interest, in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

429

016-655

THIS QUIT CLAIM DEED, made and entered into this the
3RD day of ~~June~~ ^{July}, 1968, by and between Leroy Doss and wife, Lucy
 Doss, of Nashville, Davidson County, Tennessee,
 parties of the First Part, and PEABODY COAL COMPANY, a
 Delaware corporation, authorized to do business in the State of
 Kentucky, party of the Second Part,

WITNESSETH:

That for and in consideration of the sum of THIRTY-THREE
 DOLLARS AND THIRTY-THREE CENTS (\$33.33), and other good
 and valuable consideration, cash in hand paid, the receipt of which
 is hereby acknowledged, the parties of the First Part have bargained
 and sold and do by these presents bargain, sell, alien, quit claim and
 convey unto the party of the Second Part all of their right, title and
 interest in and to the surface and all coal, oil, gas and all other
 mineral in, on and underlying the following described tract or parcel
 of land situated in Muhlenberg County, Kentucky, and bounded and
 described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W.
 Ross's corner, running thence North 1-1/2 West
 1973 feet to a rock; thence North 88-1/2 West
 1200 feet to a maple, sweet gum and hackberry;
 thence North 73-1/2 West 1100 feet to a stake on
 the bank of a creek; thence with the meanders of
 the creek South 83-1/2 West 200 feet, North 81
 West 820 feet to a stake on the bank of Green River;
 thence with the meanders of the river South 77-1/2
 West 475 feet to a stake; thence South 33-1/2 West
 710 feet to a rock; thence South 68-1/2 East 1452
 feet to a rock; thence South 1 East 1214 feet to a
 sweet gum; thence North 88-1/2 East 2025 feet
 to the beginning, containing 160-3/10 acres.

This is to certify that PROPERTY TRANSFER TAX of \$ 50
 collected this date. 7-7-68
 J. P. [Signature]
 Clerk
 D.C.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 89, page 85; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 88, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 88, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor
Leroy Doss, acquired an interest
by virtue of inheritance from ~~Adam Doss~~ (who
~~was a son of~~ George W. Doss, Jr. and George
W. Doss, Jr., was the son of George W. Doss,
Sr.) and all of which matters of intestacy are
set forth in Affidavit of Descent form of record
in the office of the Muhlenberg County Court
Clerk in Deed Book 208, page 481.

ADJOINING LANDS, ESTATES AND MINERALS

431

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 182.333
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.

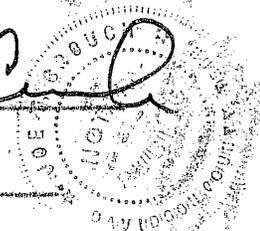
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FRM

Leroy Doss
Leroy Doss
Lucy Doss
Lucy Doss

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Leroy Doss and wife, Lucy Doss, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Leroy Doss and wife, Lucy Doss, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 3rd day of July, 1969.

J. C. Noffsinger
Notary Public


My commission expires: 2-8-72

STATE OF KENTUCKY, SCT:
MUHLENBERG COUNTY,

I, J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD: 7-7-69 AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE 11th DAY OF July, 1969

J. C. Noffsinger
CLERK

534

016-655

THIS QUITCLAIM DEED, made and entered into this the
30th day of June, 1969, by and between Proney Doss and wife, Dorothy
 Doss, of Nashville, Davidson County, Tennessee,
 parties of the First Part, and PEABODY COAL COMPANY, a
 Delaware corporation, authorized to do business in the State of
 Kentucky, party of the Second Part,

WITNESSETH:

That for and in consideration of the sum of THIRTY-THREE
 DOLLARS AND THIRTY-THREE CENTS (\$33.33), and other good
 and valuable consideration, cash in hand paid, the receipt of which
 is hereby acknowledged, the parties of the First Part have bargained
 and sold and do by these presents bargain, sell, alien, quit claim and
 convey unto the party of the Second Part all of their right, title and
 interest in and to the surface and all coal, oil, gas and all other
 mineral in, on and underlying the following described tract or parcel
 of land situated in Muhlenberg County, Kentucky, and bounded and
 described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W.
 Ross's corner, running thence North 1-1/2 West
 1973 feet to a rock; thence North 88-1/2 West
 1200 feet to a maple, sweet gum and hackberry;
 thence North 78-1/2 West 1188 feet to a stake on
 the bank of a creek; thence with the meanders of
 the creek South 83-1/2 West 200 feet, North 81
 West 820 feet to a stake on the bank of Green River;
 thence with the meanders of the river South 77-1/2
 West 475 feet to a stake; thence South 32-1/2 West
 710 feet to a rock; thence South 68-1/2 East 1452
 feet to a rock; thence South 1 East 1214 feet to a
 sweet gum; thence North 88-1/2 East 2925 feet
 to the beginning, containing 160-3/10 acres.

This is to certify that PROPERTY TRANSFER TAX of \$.50 was
 collected this date, 7-21-69, D.C. Prohaska, Clerk
 [Signature]

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1906, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 68. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor
 Proney Doss, acquired an interest
 by virtue of inheritance from ~~Adam Doss (who
 was a son of George W. Doss, Sr. and George
 W. Doss, Jr., was the son of George W. Doss,
 Sr.)~~ and all of which matters of intestacy are
 set forth in Affidavit of Descent form of record
 in the office of the Muhlenberg County Court
 Clerk in Deed Book ~~291~~, page ~~321~~.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 362.335
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FRM

Proney Doss
Proney Doss
Dorothy M. Doss
Dorothy Doss

STATE OF TENNESSEE

COUNTY OF DAVIDSON

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Proney Doss and wife, Dorothy Doss, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Proney Doss and wife, Dorothy Doss, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 30 day of June, 1969.

Jimmy C. George
Notary Public

My commission expires: 8-2-70



STATE OF KENTUCKY, SCT,
MUHLENBERG COUNTY,

I, J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING WAS LEGALLY LODGED IN MY OFFICE FOR RECORD
ON 7-21-69 *filed* AND THE SAME, THE FOREGOING, AND THIS
CERTIFICATE HAVE BEEN DULY RECORDED THERE IN
GIVEN UNDER MY HAND THIS THE 22 DAY OF July, 1969.

J. C. Noffsinger

598

016-655

THIS QUITCLAIM DEED, made and entered into this the
 19th day of ~~June~~ ^{July}, 1968, by and between Edna Spain and husband, Philip R.
 Spain, of Nashville, Davidson County, Tennessee,
 parties of the First Part, and PEABODY COAL COMPANY, a
 Delaware corporation, authorized to do business in the State of
 Kentucky, party of the Second Part,

WITNESSETH:

That for and in consideration of the sum of THIRTY-THREE
 DOLLARS AND THIRTY-THREE CENTS (\$33.33), and other good
 and valuable consideration, cash in hand paid, the receipt of which
 is hereby acknowledged, the parties of the First Part have bargained
 and sold and do by these presents bargain, sell, alien, quit claim and
 convey unto the party of the Second Part all of their right, title and
 interest in and to the surface and all coal, oil, gas and all other
 mineral in, on and underlying the following described tract or parcel
 of land situated in Muhlenberg County, Kentucky, and bounded and
 described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W.
 Ross's corner, running thence North 1-1/2 West
 1973 feet to a rock; thence North 88-1/2 West
 1200 feet to a maple, sweet gum and hackberry;
 thence North 78-1/2 West 1188 feet to a stake on
 the bank of a creek; thence with the meanders of
 the creek South 83-1/2 West 200 feet, North 81
 West 320 feet to a stake on the bank of Green River;
 thence with the meanders of the river South 77-1/2
 West 475 feet to a stake; thence South 22-1/2 West
 710 feet to a rock; thence South 68-1/2 East 1452
 feet to a rock; thence South 1 East 1214 feet to a
 sweet gum; thence North 88-1/2 East 2825 feet
 to the beginning, containing 160-3/10 acres.

This is to certify that PROPERTY TRANSFER TAX of \$50 was
 collected this date, 7-24-68
[Signature]
[Signature]

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor Edna Spain, acquired an interest by virtue of inheritance from ~~Adam Doss~~ (who was a son of George W. Doss, Jr. and George W. Doss, Jr., was the son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in Affidavit of Descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 208, page 481.

The grantor, Edna Spain, is one and the same person as Edna Earle King as recited in the abovesaid affidavit of descent.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 382.333
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42348.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF BAR

Edna Spain
Edna Spain
Philip R. Spain
Philip R. Spain

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Edna Spain and husband, Philip R. Spain, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Edna Spain and husband, Philip R. Spain, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 19 day of July ~~June~~, 1969.

Joe H. Cooley
Notary Public



My commission expires: July 21, 1971

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

L. U. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING Deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD 7:24-69 12:30 P.M. AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE 19 DAY OF July, 1969

L. U. C. Noffsinger, Clerk

118

016-655

THIS QUITCLAIM DEED, made and entered into this the
 26th day of ~~June~~ ^{July}, 1969, by and between Clara Hartly and husband, Everett
 Hartly, of Nashville, Davidson County, Tennessee,
 parties of the First Part, and PEABODY COAL COMPANY, a
 Delaware corporation, authorized to do business in the State of
 Kentucky, party of the Second Part,

WITNESSETH:

That for and in consideration of the sum of THIRTY-THREE
 DOLLARS AND THIRTY-THREE CENTS (\$33.33), and other good
 and valuable consideration, cash in hand paid, the receipt of which
 is hereby acknowledged, the parties of the First Part have bargained
 and sold and do by these presents bargain, sell, alien, quit claim and
 convey unto the party of the Second Part all of their right, title and
 interest in and to the surface and all coal, oil, gas and all other
 mineral in, on and underlying the following described tract or parcel
 of land situated in Muhlenberg County, Kentucky, and bounded and
 described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W.
 Ross's corner, running thence North 1-1/2 West
 1973 feet to a rock; thence North 88-1/2 West
 1200 feet to a maple, sweet gum and hackberry;
 thence North 78-1/2 West 1188 feet to a stake on
 the bank of a creek; thence with the meanders of
 the creek South 83-1/2 West 200 feet, North 81
 West 820 feet to a stake on the bank of Green River;
 thence with the meanders of the river South 77-1/2
 West 475 feet to a stake; thence South 22-1/2 West
 710 feet to a rock; thence South 68-1/2 East 1452
 feet to a rock; thence South 1 East 1214 feet to a
 sweet gum; thence North 88-1/2 East 2825 feet
 to the beginning, containing 160-3/10 acres.

This is to certify that PROFFER T. HALL, Jr., Clerk
 collected this date, 8-2-69
 J. C. McSpencer
 J. M. McSpencer
 50
 Clerk

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

119

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 56, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor Clara Hartly, acquired an interest by virtue of inheritance from ~~Adam Doss (who was a son of George W. Doss, Jr. and George W. Doss, Jr., was the son of George W. Doss, Sr.)~~ and all of which matters of intestacy are set forth in Affidavit of Descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 208, page 481.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 162.335
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVL CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN COURT BUILDING, GREENVILLE, KENTUCKY 42345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FIRM

Clara Hartly
Clara Hartly
Everett Hartly
Everett Hartly

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Clara Hartly and husband, Everett Hartly, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Clara Hartly and husband, Everett Hartly to be their free and voluntary act and deed for the uses and purposes therein set forth.

July Given under my hand and seal of office, this the 21st day of ~~June~~, 1969.

Wm D. Martin
Notary Public

My commission expires: July 31 1970



STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

I, J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD. 8-4-69 3:00 p.m. AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE 8 DAY OF Aug., 1969.

J. C. Noffsinger

842

016-655

THIS QUITCLAIM DEED, made and entered into this the 27th

day of June, 1969, by and between VERNA DOSS, a widow, of Central City, Muhlenberg County, Kentucky, Party of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE HUNDRED (\$100.00) DOLLARS, and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Party of the First Part has bargained and sold and does by these presents bargain, sell, alien, quitclaim and convey unto the Party of the Second Part all of her right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$ 5.00 collected this date, 6-27-69. *John Hoffberger* Clerk *Robert W. Doss, Jr.* D.C.

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Cuncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and therefore by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor, Verna Doss, acquired her interest by virtue of inheritance from Adam Doss, who was a son of George W. Doss, Jr., and is shown by Affidavit of Descent recorded in the office of the Muhlenberg County Court Clerk in Deed Book 301, page 301.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor KAYE BERRY, acquired an interest by virtue of inheritance from Virgil Doss (Virgil Doss was a son of George W. Doss, Jr., and George W. Doss, Jr. was the son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 274, page 447.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers. includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

446

CERTIFICATE OF COMPLIANCE WITH KRS 362.335
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYEN
COURT BUILDING, GREENVILLE, KENTUCKY 40345
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FIRM

Kaye Berry

Kaye Berry
Charles Berry

Charles Berry

STATE OF INDIANA,
SS:
COUNTY OF VANDERBURGH,

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing deed of conveyance from Kaye Berry and husband, Charles Berry to Peabody Coal Company, was this day produced to me in my County and State aforesaid and acknowledged before me in due form of law by Kaye Berry and husband, Charles Berry to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 30th day of August, 1969.

Robert M. Clark

Notary Public

My commission expires: 1-24-73

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

I, J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING Deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD. 12-19-69 3:00 p.m. AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE 23 DAY OF Dec, 1969

J. C. Noffsinger
Monroe M. Chay, Jr. CLERK

016-655

455

THIS QUITCLAIM DEED, made and entered into this the 22nd
 August
 day of ~~XXIX~~, 1969, by and between KAREN FAYE DOSS SANDERS and husband,
William H. Sanders, of Evansville, Vanderburgh County, Indiana,
 Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corpora-
 tion, authorized to do business in the State of Kentucky, Party of the
 Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of \$12.50, cash
 in hand paid, the receipt of which is hereby acknowledged, the Parties
 of the First Part have bargained and sold and do by these presents
 bargain, sell, alien, quit claim and convey unto the Party of the
 Second Part all of their right, title, and interest in and to the
 surface and all coal, oil, gas and all other mineral in, on and under-
 lying the following described tract or parcel of land situated in
 Muhlenberg County, Kentucky, and bounded and described as follows, to-
 wit:

Beginning at a sweet gum and black gum, J. W.
 Ross's corner, running thence North 1½ West
 1973 feet to a rock; thence North 88½ West
 1200 feet to a maple, sweet gum and hackberry;
 thence North 78½ West 1188 feet to a stake on
 the bank of a creek; thence with the meanders of
 the creek South 83½ West 200 feet, North 81 West
 820 feet to a stake on the bank of Green River;
 thence with the meanders of the river South 77½
 West 475 feet to a stake; thence South 22½ West
 710 feet to a rock; thence South 68½ East 1452
 feet to a rock; thence South 1 East 1214 feet to
 a sweet gum; thence North 88½ East 2825 feet to
 the beginning, containing 160-3/10 acres.

Being the same property acquired by George W.
 Doss, Sr., and his wife, Elizabeth Doss, by three
 deed as follows:

Deed of conveyance from H. T. Duncan and wife,
 Sallie C. D. Duncan, dated July 25, 1901, and now
 of record in the office of the Clerk of the Muhlen-
 berg County Court in Deed Book 59, page 65; deed of
 conveyance from H. T. Duncan and wife, Sallie C. D.
 Duncan, dated May 24, 1900, and now of record in the
 office of the Muhlenberg County Court Clerk in Deed
 Book 55, page 215; deed of conveyance from James Weir,

This is to certify that PROPERTY TRANSFER TAX of \$
 collected this date, 8/22/69
 Clerk
 William H. Sanders, D.C.

dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs, Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor Karen Faye Doss Sanders, acquired an interest by virtue of inheritance from Virgil Doss (Virgil Doss was a son of George W. Doss, Jr., and George W. Doss, Jr. was the son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Clerk in Deed Book 274, page 447.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, included and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH K.S. 162.333
THE FOREGOING INSTRUMENT WAS PREPARED BY JAMES
CORNETTE & PAYTON, ATTORNEYS AT LAW, 058RYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.


WILLIAM L. PAYTON, ATTORNEY AND MEMBER OF FIRM


Karen Faye Doss Sanders


husband of Karen Faye Doss Sanders

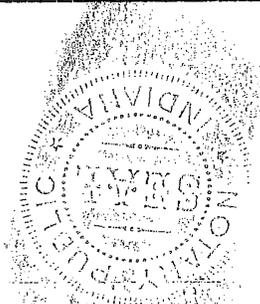
STATE OF INDIANA,
SS.
COUNTY OF VANDERBURGH,

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Karen Faye Doss Sanders and her husband, Wm. H. Sanders to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Karen Faye Doss Sanders and husband, Wm. H. Sanders to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 22 day of Aug., 1969.

[Signature]
Notary Public

My commission expires: 1-9-73



STATE OF KENTUCKY, SCT.
MUHLENBERG COUNTY,

I, J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD. 12-19-69 3:00 p.m. AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN deed GIVEN UNDER MY HAND THIS THE 22 DAY OF Dec., 19 69

J. C. Noffsinger
Mona McEvey, CLERK

016-655

THIS QUITCLAIM DEED, made and entered into this the 13th day of August, 1969, by and between PAUL RAY DOSS and his wife, SANDRA DOSS, of Evansville, Vanderburgh County, Indiana, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of \$ 12.50, and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

Being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir,

This is to certify that PROPERTY TRANSFER TAX of \$ 0.54 was collected this date, 8-17-69
 Clerk
 D.C.

dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor Paul Ray Doss, acquired an interest by virtue of inheritance from Virgil Doss (Virgil Doss was a son of George W. Doss, Jr., and George W. Doss, Jr. was the son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 274, page 447.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

Paul Ray Doss
Paul Ray Doss
Sandra Doss
Sandra Doss

016-655

458

THIS QUITCLAIM DEED, made and entered into this the 19th day of December, 1969, by and between ROBERT DOSS and his wife, NORMA DOSS, of Newburgh, Warren County, Indiana Parties of the First Part, and PEABODY COAL COMPANY, A Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of \$ 12.50 and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North $1\frac{1}{2}$ West 1973 feet to a rock; thence North $88\frac{1}{2}$ West 1200 feet to a maple, sweet gum and hackberry; thence North $78\frac{1}{2}$ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South $83\frac{1}{2}$ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South $77\frac{1}{2}$ West 475 feet to a stake; thence South $22\frac{1}{2}$ West 710 feet to a rock; thence South $68\frac{1}{2}$ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North $88\frac{1}{2}$ East 2825 feet to the beginning, containing 160-3/10 acres.

Being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$ - - - was collected this date. 12-19-69
 Clerk [Signature]
 D.C.

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor Robert Doss, acquired an interest by virtue of inheritance from Virgil Doss (Virgil Doss was a son of George W. Doss, Jr., and George W. Doss, Jr. was the son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 274, page 447.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other

460

minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 382.339 THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS, CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN COURT BUILDING, GREENVILLE, KENTUCKY 42345. William E. Payton WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FIRM

Robert Doss Robert Doss
Norma Doss Norma Doss

STATE OF KENTUCKY, SS.
COUNTY OF MONDENBERGH

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Robert Doss and his wife, Norma Doss, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Robert Doss and his wife, Norma Doss, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 19th day of DECEMBER, 1969.



William E. Payton
Notary Public

My commission expires: 22 July 1972.

STATE OF KENTUCKY, SCT:
MUHLENBERG COUNTY,
J. C. MOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING DEED WAS LEGALLY LODGED IN MY OFFICE FOR RECORD ON THE 19-19-69 3:00 p.m. AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN Sec. GIVEN UNDER MY HAND THIS THE 22 DAY OF Dec., 1969

J. C. Moffsinger
M. W. E. Clerk
CLERK

016-655

452

THIS QUITCLAIM DEED, made and entered into this the 13th day of August, 1969, by and between PAULINE WHEATLEY, a single woman, of Evansville, Vanderburgh County, Indiana, Parties of the First Part, and PEABODY COAL COMPANY, A Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of \$ 100.00, and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

Being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

THIS IS TO CERTIFY THAT A TRUE AND CORRECT COPY OF THIS DEED WAS FILED IN THE OFFICE OF THE CLERK OF COURTS, MUHLENBERG COUNTY, KENTUCKY, ON AUGUST 12, 1969. J. C. McHenry, Clerk

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor Pauline Wheatley, acquired an interest by virtue of inheritance from Virgil Doss (Virgil Doss was a son of George W. Doss, Jr., and George W. Doss, Jr. was the son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 274, page 447.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other

016-655

THIS QUITCLAIM DEED, made and entered into this the 1st day of February, 1968, by and between MARGARET C. MONOGHAN, a widow, of Dearborn, Michigan, party of the First Part, and SENTRY ROYALTY COMPANY, a Nevada Corporation, authorized to do business in the State of Kentucky, party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE (\$1.00) DOLLAR and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the party of the First Part has bargained and sold and does by these presents bargain, sell, alien, quit-claim and convey unto the party of the Second Part all of her right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1-1/2 West 1973 feet to a rock; thence North 88-1/2 West 1200 feet to a maple, sweet gum and hackberry; thence North 78-1/2 West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83-1/2 West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77-1/2 West 475 feet to a stake; thence South 22-1/2 West 710 feet to a rock; thence South 68-1/2 East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88-1/2 East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130. Louis W. Doss being one of the children of George W. Doss, Sr., and wife, Elizabeth Doss, as shown by the above mentioned Affidavit of Descent of said Elizabeth Doss.

And being the same property acquired by the heirs of Elizabeth Doss (Being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs, Elizabeth Doss predeceased her husband, George W. Doss, Sr., and therefore by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

262

016-655

THIS QUITCLAIM DEED, made and entered into this the 23rd day of January, 1968, by and between EDWARD T. DOSS, a single man, of Hudson, Ohio, party of the First Part, and SENTRY ROYALTY COMPANY, a Nevada corporation, authorized to do business in the State of Kentucky, party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of ONE (\$1.00) DOLLAR and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the party of the First Part has bargained and sold and does by these presents bargain, sell, alien, quit-claim and convey unto the party of the Second Part all of his right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, towit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1-1/2 West 1973 feet to a rock; thence North 88-1/2 West 1200 feet to a maple, sweet gum and hackberry; thence North 78-1/2 West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83-1/2 West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77-1/2 West 475 feet to a stake; thence South 22-1/2 West 710 feet to a rock; thence South 68-1/2 East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88-1/2 East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130. Louis W. Doss being one of the children of George W. Doss, Sr., and wife, Elizabeth Doss, as shown by the above mentioned Affidavit of Descent of said Elizabeth Doss.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and therefore by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

ADJOINING LANDS, ESTATES AND MINERALS

264

This conveyance unto Sentry Royalty Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors right, title and interest, in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, I hereunto set my hand

to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH RRS 382.333
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS
CORNETTE & PAYTON, ATTORNEYS AT LAW, 6 BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.

Edward T. Doss
Edward T. Doss

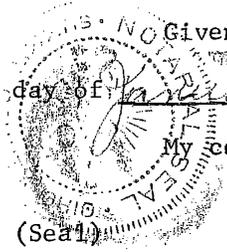
Paula K. Kinsey
KEES KINNEY, ATTORNEY AND MEMBER OF FIRM.

STATE OF OHIO ()
) SS:
COUNTY OF SUMMIT ()

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing Deed of Conveyance from Edward T. Doss, a single man, to Sentry Royalty Company, was this day produced to me in my county and state aforesaid and acknowledged before me by Edward T. Doss to be his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office this the 9th day of January, 1968.

My commission expires: 6-28-71



Jinda Kay Hoffman
Notary Public

502

016-655

THIS QUIT CLAIM DEED, made and entered into this the 27th day of June, 1969, by and between GRACE BLACKWELL and her husband, ELMER BLACKWELL, of East Detroit, Macomb County, Michigan, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of TEN (\$10.00) DOLLARS, and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$ 50 was collected this date 2-14-69. *John D. Applegate* Clerk *Mona M. Kelley* D.C.

Deed of conveyance from H.T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife; Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same interest in which the grantor, Grace Blackwell, acquired by virtue of inheritance from Maude Nalley (Maude Nalley was a daughter of James H. Doss and James H. Doss was a son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in the affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 494.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 382.285
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN COURT BUILDING, GLENVILLE, KENTUCKY 40345.
W. E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF THE BAR

Grace Blackwell
Grace Blackwell
Elmer Blackwell
Elmer Blackwell

STATE OF MICHIGAN,
SS.
COUNTY OF MACOMB,

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Grace Blackwell and her husband, Elmer Blackwell, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Grace Blackwell and her husband, Elmer Blackwell, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 27 day of June, 1969.

Earl Carter
Notary Public

My commission expires: February 17 - 1973

EARL CARTER
Notary Public, Macomb County, Mich.
My Commission Expires Feb. 17, 1973

STATE OF KENTUCKY, 66th
MULLENBERG COUNTY,

J. C. NEFFSINGER, CLERK OF THE MULLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING WAS LEGALLY LODGED IN MY OFFICE FOR RECORD GOING 7-14-69 1:16 P.M. AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN July 1969 UNDER MY HAND THIS THE 18 DAY OF

J. C. Neffsinger
CLERK

016-655

239

THIS QUIT CLAIM DEED, made and entered into this the 12th day of June, 1969, by and between CATHERINE HAYNES and her husband, CHARLIE HAYNES, of St. Clair Shores, Macomb County, Michigan, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of TEN (\$10.00) DOLLARS, and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated and located in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$.50 was collected this date, 11-11-69
A.C. D. [Signature] Clerk
[Signature] D.C.

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same interest in which the grantor, Catherine Haynes, acquired by virtue of inheritance from Maude Nalley (Maude Nalley was a daughter of James H. Doss and James H. Doss was a son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in the affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 494.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

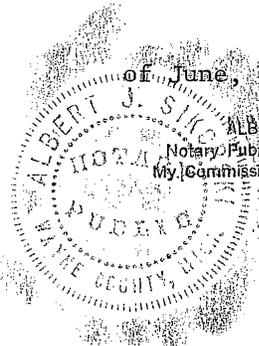
CERTIFICATE OF COMPLIANCE WITH KRS 302.530
THE FOREGOING INSTRUMENT WAS PREPARED BY JAMES
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYEN
COURT BUILDING, GREENVILLE, KENTUCKY 40345.
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF MBAA

Catherine Haynes
Catherine Haynes
Charlie Haynes
Charlie Haynes

STATE OF MICHIGAN,
SS.
COUNTY OF MACOMB,

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Catherine Haynes and her husband, Charlie Haynes, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Catherine Haynes and her husband, Charlie Haynes, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 12th day of June, 1969.



ALBERT J. SIKORSKI
Notary Public, Wayne County, Mich.
My Commission Expires Nov. 24, 1971

Albert J. Sikorski
Notary Public

My commission expires: November 14, 1971

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD. 11-17-69 11:05 AM AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE 21st DAY OF November 1969

J. C. Noffsinger
-B-
Mona McElroy H.C. CLERK

016-655

505

THIS QUIT CLAIM DEED, made and entered into this the 12th day of June, 1969, by and between LURINE VANNOY and her husband, WALTER VANNOY, of Grosse Pointe Woods, Wayne County, Michigan, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of TEN (\$10.00) DOLLARS, and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North $1\frac{1}{2}$ West 1973 feet to a rock; thence North $88\frac{1}{2}$ West 1200 feet to a maple, sweet gum and hackberry; thence North $78\frac{1}{2}$ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South $83\frac{1}{2}$ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South $77\frac{1}{2}$ West 475 feet to a stake; thence South $22\frac{1}{2}$ West 710 feet to a rock; thence South $68\frac{1}{2}$ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North $88\frac{1}{2}$ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$.50
 collected this date 2-14-69
 J. C. Hoffmann
 J. Robert Wilkey, D.C.

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same interest in which the grantor, Lurine VanDoy, acquired by virtue of inheritance from Maude Nalley (Maude Nalley was a daughter of James H. Doss and James H. Doss was a son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 494.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 382.330
THE FOREGOING INSTRUMENT WAS PREPARED BY SARVING,
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYEN
COURT BUILDING, FORT-LENVILLE, KENTUCKY 40345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FIRM.

Lorine VanNoy
Lorine VanNoy
Walter VanNoy
Walter VanNoy

STATE OF MICHIGAN,
SS.
COUNTY OF WAYNE,

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Lorine VanNoy and her husband, Walter VanNoy, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Lorine VanNoy and her husband, Walter VanNoy, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 12 day of June, 1969.

Everett R. Wilcox
EVERETT R. WILCOX Notary Public WAYNE COUNTY

My commission expires: APRIL 10, 1971

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

J. C. HOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING DEED WAS LEGALLY LODGED IN MY OFFICE FOR RECORD, ON 7-14-69 AT 1:17 P.M. AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE 18 DAY OF July, 1969.

J. C. Hoffinger

CLERK

016-655

THIS QUIT CLAIM DEED, made and entered into this the 18th
~~June,~~ ^{August,} 1969, by and between JOHN NALLEY and his wife, HILDA
 NALLEY, of Louisville, Jefferson County, Kentucky, Parties of the
 First Part, and PEABODY COAL COMPANY, a Delaware Corporation,
 authorized to do business in the State of Kentucky, Party of the
 Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of TEN DOLLARS
 (\$10.00), and other good and valuable consideration, cash in hand
 paid, the receipt of which is hereby acknowledged, the Parties of the
 First Part have bargained and sold and do by these presents bargain,
 sell, alien, quit claim and convey unto the Party of the Second Part
 all of their right, title and interest in and to the surface and all
 coal, oil, gas and all other mineral in, on and underlying the follow-
 ing described tract or parcel of land situated in Muhlenberg County,
 Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's
 corner, running thence North 1½ West 1973 feet to a
 rock; thence North 88½ West 1200 feet to a maple,
 sweet gum and hackberry; thence North 78½ West 1188
 feet to a stake on the bank of a creek; thence with
 the meanders of the creek South 83½ West 200 feet,
 North 81 West 820 feet to a stake on the bank of
 Green River; thence with the meanders of the river
 South 77½ West 475 feet to a stake; thence South 22½
 West 710 feet to a rock; thence South 68½ East 1452
 feet to a rock; thence South 1 East 1214 feet to a
 sweet gum; thence North 88½ East 2825 feet to the
 beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss,
 Sr., and his wife, Elizabeth Doss, by three deeds as
 follows:

This is to certify that PROPERTY TRANSFER TAX of \$
 collected this date. Clerk D.C.

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same interest in which the grantor, John Nalley, acquired by virtue of inheritance from Maude Nalley (Maude Nalley was a daughter of James H. Doss and James H. Doss was a son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 494.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 382.355
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FRM

John Nalley

John Nalley
Hilda Nalley

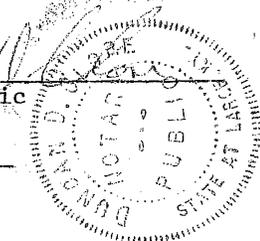
Hilda Nalley

STATE OF KENTUCKY,
SS.
COUNTY OF JEFFERSON,

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from John Nalley and his wife, Hilda Nalley, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by John Nalley and his wife, Hilda Nalley, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 18th day of ~~June~~ August, 1969.

Annica M. Harris

Notary Public


My commission expires: My Commission Expires December 23, 1970

STATE OF KENTUCKY, SCT.
MUHLENBERG COUNTY,
J. D. C. WOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD. 18-19-69 AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE 17 DAY OF Sept., 1969

J. C. Woffsinger

CLERK

016-655

496

THIS QUITCLAIM DEED, made and entered into this the 2nd day of July, 1969, by and between IKE NALLEY and his wife, ELLEN NALLEY, of Louisville, Jefferson County, Kentucky, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$.50 was collected this date, 7-14-69
J. C. Thompson, Clerk
M. W. Schley, Secy

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same interest in which the grantor, Ike Nalley, acquired by virtue of inheritance from Maude Nalley (Maude Nalley was a daughter of James H. Doss and James H. Doss was a son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 494.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

498

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

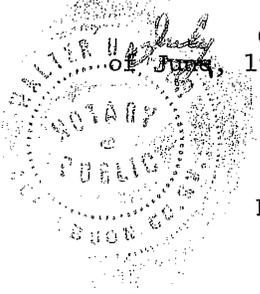
IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 582.330
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYEN
COURT BUILDING, GREENVILLE, KENTUCKY 40343.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FRMA

Ike Nalley
Ike Nalley
Ellen Nalley
Ellen Nalley

STATE OF KENTUCKY,
SS.
COUNTY OF JEFFERSON,

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Ike Nalley and his wife, Ellen Nalley, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Ike Nalley and his wife, Ellen Nalley, to be their free and voluntary act and deed for the uses and purposes therein set forth.



Given under my hand and seal of office, this the 7th day of June, 1969.

Walter Harper
Notary Public

Notary Public, Jefferson County, Ky.
My Commission expires June 9, 1971

My commission expires: _____

STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING *deed* WAS LEGALLY LODGED IN MY OFFICE FOR RECORD, *7-14-69 1:12 p.m.* AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE *18* DAY OF *July*, 1969.

J. C. Noffsinger
CLERK

016-655

240

THIS QUIT CLAIM DEED, made and entered into this the 22nd ~~June~~ **SEPT.** day of ~~June~~, 1969, by and between ROBERT NALLEY and his wife, Central City, Muhlenberg County, Kentucky, GLENDA NALLEY, of ~~Gallatin, -Sumner-County, -Tennessee,~~ Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of TWO DOLLARS AND FIFTY CENTS (\$2.50), and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North $1\frac{1}{2}$ West 1973 feet to a rock; thence North $88\frac{1}{2}$ West 1200 feet to a maple, sweet gum and hackberry; thence North $78\frac{1}{2}$ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South $83\frac{1}{2}$ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South $77\frac{1}{2}$ West 475 feet to a stake; thence South $22\frac{1}{2}$ West 710 feet to a rock; thence South $68\frac{1}{2}$ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North $88\frac{1}{2}$ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$ _____ was collected this date, _____
 Clerk _____
 D.C. _____

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by affidavit of descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor, Robert Nalley, acquired by virtue of inheritance from his father, Claude Nalley, (Claude Nalley was the son of Maude Nalley and Maude Nalley was the daughter of James H. Doss and James H. Doss was the son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 494.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

242 TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 392.330
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.

William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FRMA

Robert Nalley
Robert Nalley
Glenda Nalley
Glenda Nalley

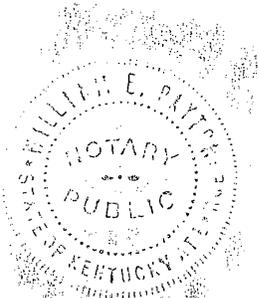
KENTUCKY
STATE OF TENNESSEE,
MUHLENBERG SS.
COUNTY OF SUMNER,

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Robert Nalley and his wife, Glenda Nalley, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Robert Nalley and his wife, Glenda Nalley, to be their free and voluntary act and deed for the uses and purposes therein set forth.

~~June~~ ^{Sept.} Given under my hand and seal of office, this the 22nd day of ~~June~~, 1969.

William E. Payton
Notary Public

My commission expires: 22 July 1972.



STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

I, J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD and filed AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE 22 DAY OF Sept., 1969

J. C. Noffsinger
CLERK

016-655

THIS QUITCLAIM DEED, made and entered into this the 11th day ^{July} of ~~June~~, 1969, by and between NEWT NALLEY and his wife, GRACE NALLEY; EVALINE WILKINS and her husband, PAUL WILKINS; and, CLAUDETTE ANDERSON and her husband, HENRY ANDERSON, all of Central City, Muhlenberg County, Kentucky, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of TWENTY-SEVEN DOLLARS AND FIFTY CENTS (\$27.50), and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$ 50
 collected this date, 7-14-69
 J. C. Peppinger, Clerk
 Mowen McElroy, D.C.

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss; and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same property in which the grantors, Newt Nalley and Evaline Wilkins, acquired their interest by virtue of inheritance from Maude Nalley (Maude Nalley was a daughter of James H. Doss and James H. Doss was a son of George W. Doss, Sr.) and being the same property in which the grantors, Grace Nalley, and Claudette Anderson, acquired their interest by virtue of inheritance from Claude Nalley (Claude Nalley was a son of Maude Nalley) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 494.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 362.330
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
CORNETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FRMA

Newt Nalley
Newt Nalley

Grace Nalley
Grace Nalley

Evaline Wilkins
Evaline Wilkins

Paul Wilkins
Paul Wilkins

Claudette Anderson
Claudette Anderson

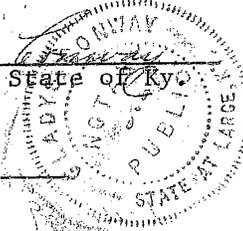
Henry Anderson
Henry Anderson

STATE OF KENTUCKY,
SS.
COUNTY OF MUHLENBERG,

I, the undersigned, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing deed of conveyance from Newt Nalley, et al., to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Newt Nalley and his wife, Grace Nalley; Evaline Wilkins and her husband, Paul Wilkins; Claudette Anderson and her husband, Henry Anderson, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 11 day of ~~June~~ ^{July}, 1969.

G. L. ...
Notary Public, State of Ky.
at Large



My commission expires: My Commission Expires December 20, 1970

016-655

433

THIS QUIT CLAIM DEED, made and entered into this the 3 day of July, 1969, by and between ROY LEE WILLIAMS and his wife, JANET WILLIAMS of Manchester, Iowa, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of EIGHTY (\$80.00) DOLLARS, cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

Being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of

This is to certify that PROPERTY TRANSFER TAX of \$50.00 was collected this date, 7-7-69. J.C. Hoffmann, Clerk. J. Williams, Attorney-at-Law, D.C.

conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. The said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and thereby by the terms and provisions of the aforesaid Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor, Roy Lee Williams, acquired by virtue of inheritance from Elizabeth Williams (Elizabeth Williams was a daughter of James H. Doss and James H. Doss was the son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in affidavit of descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 452.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property description or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

016-655

345

THIS QUITCLAIM DEED, made and entered into this the 23rd day of June, 1969, by and between CLAUDE DOSS and his wife, ELLA DOSS; WALTER DOSS and his wife, FONTELLA DOSS; HALLIE HEARLD and her husband, HOMER HEARLD; THELMA CRAWLEY ANDERSON, a widow, all of Central City, Muhlenberg County, Kentucky, and EMMETT DOSS, a widower, of Detroit, Wayne County, Michigan, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of FOUR HUNDRED (\$400.00) DOLLARS, and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$...
 collected this date, 6/23/69.
 Clerk
 D.C.

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and therefore by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same property in which the grantors, Claude Doss, Walter Doss, Hallie Hearld, Thelma Crawley Anderson, and Emmett Doss, acquired their interest by virtue of inheritance from James H. Doss (James H. Doss was a son of George W. Doss, Sr.) and all of which matters of intestacy are set forth in Affidavit of Descent form of record in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 306.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

016-655

132

THIS QUITCLAIM DEED, made and entered into this the 31st day of May, 1969, by and between HOMER R. MORRIS and his wife, MARY M. MORRIS, of 42009 Fret Road, Belleville, Wayne County, Michigan, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

W I T N E S S E T H:

That for and in consideration of the sum of THREE HUNDRED DOLLARS (\$300.00), and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit-claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North 1½ West 1973 feet to a rock; thence North 88½ West 1200 feet to a maple, sweet gum and hackberry; thence North 78½ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South 83½ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South 77½ West 475 feet to a stake; thence South 22½ West 710 feet to a rock; thence South 68½ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North 88½ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

50
This is to certify that PROPERTY TAXES for 1969 were collected this date. 016-655
J. C. Hoffmann, Clerk
Mary M. Morris

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130. Sarah Elizabeth Doss Morris being one of the eight children of George W. Doss, Sr., and his wife, Elizabeth Doss, as shown by the above mentioned Affidavit of Descent of said Elizabeth Doss.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr. duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and therefore by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor, Homer R. Morris, acquired his interest by virtue of inheritance from Sarah Elizabeth Doss Morris as shown by Affidavit of Descent recorded in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 131.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest, in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

CERTIFICATE OF COMPLIANCE WITH KRS 382.335
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS,
CORHETTE & PAYTON, ATTORNEYS AT LAW, O'BRYAN
COURT BUILDING, GREENVILLE, KENTUCKY 42345.
William E. Payton
WILLIAM E. PAYTON, ATTORNEY AND MEMBER OF FIRM

Homer R. Morris
Homer R. Morris
Mary M. Morris
Mary M. Morris

STATE OF MICHIGAN,
SS.
COUNTY OF WAYNE,

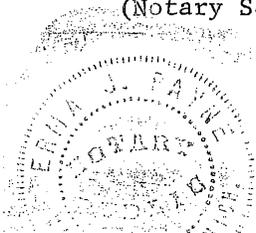
I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing Deed of Conveyance from Homer R. Morris and his wife, Mary M. Morris, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Homer R. Morris and his wife, Mary M. Morris, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 31st day of May, 1969.

Erma J. Payne
Notary Public

My commission expires: _____
ERMA J. PAYNE
Notary Public, Wayne County, Mich.
My Commission Expires Aug. 2, 1969

(Notary Seal)



STATE OF KENTUCKY, SCT;
MUHLENBERG COUNTY,

J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING Deed WAS LEGALLY LODGED IN MY OFFICE FOR RECORD Feb 6-69 2:30 PM AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN June GIVEN UNDER MY HAND THIS THE 10 DAY OF June, 1969

J. C. Noffsinger

016-655

18

THIS QUITCLAIM DEED, made and entered into this the 5th day of September, 1969, by and between KERMIT MORRIS and his wife, LOUISE MORRIS, of Central City, Muhlenberg County, Kentucky, Parties of the First Part, and PEABODY COAL COMPANY, a Delaware Corporation, authorized to do business in the State of Kentucky, Party of the Second Part,

WITNESSETH:

That for and in consideration of the sum of THREE HUNDRED (\$300.00) DOLLARS, and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, the Parties of the First Part have bargained and sold and do by these presents bargain, sell, alien, quit-claim and convey unto the Party of the Second Part all of their right, title and interest in and to the surface and all coal, oil, gas and all other mineral in, on and underlying the following described tract or parcel of land situated in Muhlenberg County, Kentucky, and bounded and described as follows, to-wit:

Beginning at a sweet gum and black gum, J. W. Ross's corner, running thence North $1\frac{1}{2}$ West 1973 feet to a rock; thence North $88\frac{1}{2}$ West 1200 feet to a maple, sweet gum and hackberry; thence North $78\frac{1}{2}$ West 1188 feet to a stake on the bank of a creek; thence with the meanders of the creek South $83\frac{1}{2}$ West 200 feet, North 81 West 820 feet to a stake on the bank of Green River; thence with the meanders of the river South $77\frac{1}{2}$ West 475 feet to a stake; thence South $22\frac{1}{2}$ West 710 feet to a rock; thence South $68\frac{1}{2}$ East 1452 feet to a rock; thence South 1 East 1214 feet to a sweet gum; thence North $88\frac{1}{2}$ East 2825 feet to the beginning, containing 160-3/10 acres.

This being the same property acquired by George W. Doss, Sr., and his wife, Elizabeth Doss, by three deeds as follows:

This is to certify that PROPERTY TRANSFER TAX of \$ 50
 collected this date, 9-5-69
 J.C. [Signature]
 [Signature]
 D.C.

Deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated July 25, 1901, and now of record in the office of the Clerk of the Muhlenberg County Court in Deed Book 59, page 65; deed of conveyance from H. T. Duncan and wife, Sallie C. D. Duncan, dated May 24, 1900, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 55, page 215; deed of conveyance from James Weir, dated August 12, 1904, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 58, page 31.

And being the same property which descended to the children and only heirs at law of Elizabeth Doss, and husband, George W. Doss, Sr., as shown by the Affidavit of Descent of said Elizabeth Doss recorded in the office of the Muhlenberg County Court Clerk in Deed Book 261, page 130. Sarah Elizabeth Doss Morris being one of the eight children of George W. Doss, Sr., and his wife, Elizabeth Doss, as shown by the above mentioned Affidavit of Descent of said Elizabeth Doss.

And being the same property acquired by the heirs of Elizabeth Doss (being the eight children as shown in the above mentioned Affidavit of Descent) by virtue of the Will of her husband, George W. Doss, Sr., duly recorded in the office of the Clerk of the Muhlenberg County Court in Will Book 5, page 88. Said Will devised all real and personal property of the testator, George W. Doss, Sr., to his wife, Elizabeth Doss, and her heirs. Elizabeth Doss predeceased her husband, George W. Doss, Sr., and therefore by the terms and provisions of the aforementioned Will the property passed directly to her children and heirs at law.

Being the same property in which the grantor, Kermit Morris, acquired his interest by virtue of inheritance from Sarah Elizabeth Doss Morris as shown by Affidavit of Descent recorded in the office of the Muhlenberg County Court Clerk in Deed Book 271, page 131.

ADJOINING LANDS, ESTATES AND MINERALS

This conveyance unto Peabody Coal Company covers, includes and conveys any and all adjoining or contiguous land, coal, oil, gas and all other minerals, estates or easements, regardless of any defect, error, omission or irregularity in the foregoing property descriptions or title references.

TO HAVE AND TO HOLD, all of the grantors' right, title and interest, in and to the surface and all the coal, oil, gas and other minerals in and underlying the above described tract or parcel of land with Covenant of SPECIAL WARRANTY of Title.

IN TESTIMONY WHEREOF, we hereunto set our hands to this deed the day and year first hereinabove written.

Kermit S. Morris
Kermit Morris

Louise Morris
Louise Morris

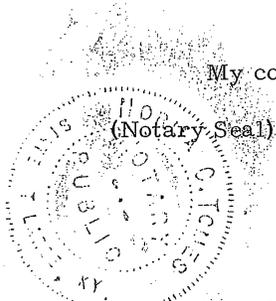
STATE OF KENTUCKY)
(SS:
COUNTY OF MUHLENBERG)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing Deed of Conveyance from Kermit Morris and his wife, Morris, to Peabody Coal Company, was this day produced to me in my county and state aforesaid and acknowledged before me in due form of law by Kermit Morris and his wife, Louise Morris, to be their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office, this the 5th day of September, 1969.

Norma C. Jones
Notary Public
July 10, 1972

My commission expires:



STATE OF KENTUCKY, SCT:
MUHLENBERG COUNTY,

I, J. C. NOFFSINGER, CLERK OF THE MUHLENBERG COUNTY COURT, CERTIFY THAT THE FOREGOING WAS LEGALLY LODGED IN MY OFFICE FOR RECORD GOING Sept 5-69 11:00 a.m. AND THE SAME, THE FOREGOING, AND THIS CERTIFICATE HAVE BEEN DULY RECORDED THERE IN GIVEN UNDER MY HAND THIS THE 7th DAY OF Sept, 1969

J. C. Noffsinger
Clerk
CLERK

016-655(1)

THIS QUITCLAIM DEED OF CONVEYANCE, made and entered into this the 4th day of March, 1975, by and between PEABODY COAL COMPANY, a Delaware corporation, authorized to do business in the State of Kentucky and with offices and chief place of business at St. Louis, Missouri, party of the First Part, and CHARLES DOSS, CECIL H. DOSS, EUGENE DOSS, JOE DOSS, KENNETH DOSS and EDITH MORRIS of Central City, Muhlenberg County, Kentucky, parties of the Second Part,

W I T N E S S E T H :

That for and in consideration of the premises and a conveyance from the said parties of the Second Part unto the said party of the First Part, the said party of the First Part has bargained and sold and does by these presents bargain, sell, alien, quitclaim and convey unto the said parties of the Second Part, their heirs, grantees and assigns, the SURFACE ONLY of the following tract or parcel of land situated and located in or near Kincheloe's Bluff in Muhlenberg County, Kentucky, and described as follows:

See the attached Exhibit 1 for the metes and bounds description, and title references, for the SURFACE ONLY of the property conveyed in this deed.

The said party of the First Part, for itself, its successors, grantees and assigns, specifically excepts, reserves and retains all coal, oil, gas, and all other minerals, of every kind and nature, contained in, on, and underlying the surface of the above described property, together with the free and unrestricted right and privilege to mine and remove same from underneath the surface of said property, without any sort of liability or damages whatsoever, howsoever caused or brought about, that may arise or result to the surface of said land, waterways thereto, or any present or future improvements thereon by reason of said mining and removal of said coal and any and all other minerals from past mining operations.

This exception and reservation shall be a covenant and condition running with the title to the surface of said property and shall be binding upon the said parties of the Second Part and their heirs, grantees and assigns.

Copies to Council 3/5/75

TO HAVE AND TO HOLD, the SURFACE ONLY of the above described property, subject to the exceptions, reservations and conditions hereinabove set forth, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said parties of the Second Part, their heirs, grantees and assigns, forever, without Warranty of Title.

IN TESTIMONY WHEREOF, the said party of the First Part has hereunto caused this instrument to be executed by its proper officers and pursuant to the authority and direction of its Board of Directors, on this the date first hereinabove written.

PEABODY COAL COMPANY

By: John M. Arnold V.P.
(Name & Corporate Capacity)
John M. Arnold, Vice President

(Corporate Seal)

ATTEST:

Richard W. Metz
(Name & Corporate Capacity)
Richard W. Metz, Assistant Secretary

CERTIFICATE OF COMPLIANCE WITH K.S. 182.335
THE FOREGOING INSTRUMENT WAS PREPARED BY JARVIS
JENSEN & PAYTON, ATTORNEYS AT LAW, O'BRYAN
JULY 1975 REG. NO. 2-151112-1-10000 42345
William E. Patten
WILLIAM E. PATTEN, ATTORNEY AND MEMBER OF B.M.

STATE OF MISSOURI,

SS:

CITY OF ST. LOUIS,

The foregoing DEED OF CONVEYANCE was acknowledged before me on this the 4th day of March, 1975, by John M. Arnold and Richard W. Metz, the Vice President and Assistant Secretary, respectively, of Peabody Coal Company, a Delaware corporation, on behalf of said corporation.

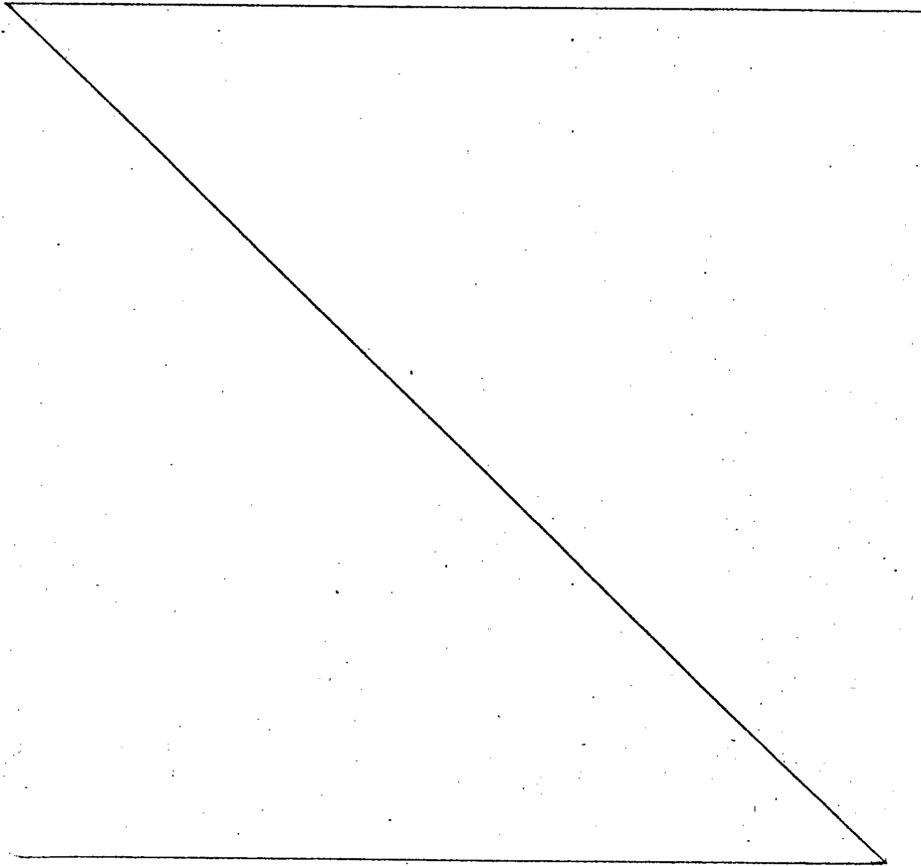
William E. Patten
Notary Public

My commission expires: May 17, 1977

(Seal)

EXHIBIT 1 TO DEED OF CONVEYANCE DATED
THE 4th DAY OF March, 1975, FROM
PEABODY COAL COMPANY TO CHARLES DOSS, ET AL.

Beginning at a stake on the Waterworks Road, said stake being 740 feet from the intersection with Kentucky State Highway #277, and running thence S 64-30 E 720 feet with the original line to a stake in the right of way line of Kentucky State Highway #277; thence with the right of way line of said Highway N 87-30 E 428 feet; thence leaving the said Highway right of way line and running in a northwesterly direction 715 feet to a stake on the old road; thence with said road S 85 E 135 feet; thence still with said road S 71-30 E 320 feet; thence continuing with said road N 81-30 W 130 feet; thence still continuing with the road N 66 W 270 feet to its intersection with the Waterworks Road; thence with the Waterworks Road S 27-30 W 470 feet to the point of beginning, containing 13 acres, more or less.



Being a part of the surface only conveyed to Sentry Royalty Company, predecessor in title to Peabody Coal Company, and Peabody Coal Company, a Delaware corporation by conveyances as follows:

Conveyances to Sentry Royalty Company by the Doss Heirs as shown by Item Nos. 96A, 97, 98 and 99, File No. 016-655 in that deed dated March 29, 1968, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 264, page 1, from Peabody Coal Company, an Illinois corporation, to Peabody Coal Company, a Delaware corporation and said property is shown on Exhibit A, Division VII, Commonwealth of Kentucky, Subdivision 7.07, Muhlenberg County, Kentucky; on September 1, 1967, Sentry Royalty Company was merged into and with Peabody Coal Company, an Illinois corporation, as shown by Articles of Merger recorded in the office of the said Clerk in Articles of Incorporation Book 5, page 593.

As additional title references to those given above, the following deed books and page numbers set out the recording information for affidavits of descent and deeds to Peabody Coal Company, a Delaware corporation, and Sentry Royalty Company, predecessor in title to said Peabody Coal Company and all of which instruments appear of record in the office of the Muhlenberg County Court Clerk and which recording information is as follows:

- (1) Deed Book 271, Page 131; (2) Deed Book 271, Page 306;
- (3) Deed Book 271, Page 432; (4) Deed Book 271, Page 494;
- (5) Deed Book 208, Page 481; (6) Deed Book 274, Page 447;
- (7) Deed Book 271, Page 341; (8) Deed Book 160, Page 280;
- (9) Deed Book 271, Page 302; (10) Deed Book 271, Page 297;
- (11) Deed Book 272, Page 125; (12) Deed Book 272, Page 121;
- (13) Deed Book 273, Page 18; (14) Deed Book 271, Page 132;
- (15) Deed Book 271, Page 345; (16) Deed Book 271, Page 433;
- (17) Deed Book 271, Page 499; (18) Deed Book 273, Page 240;
- (19) Deed Book 271, Page 496; (20) Deed Book 273, Page 109;
- (21) Deed Book 271, Page 505; (22) Deed Book 274, Page 239;
- (23) Deed Book 271, Page 502; (24) Deed Book 262, Page 262;
- (25) Deed Book 262, Page 465; (26) Deed Book 274, Page 452;
- (27) Deed Book 274, Page 458; (28) Deed Book 272, Page 449;
- (29) Deed Book 274, Page 455; (30) Deed Book 274, Page 444;
- (31) Deed Book 271, Page 342; (32) Deed Book 272, Page 118;
- (33) Deed Book 271, Page 598; (34) Deed Book 271, Page 534;
- (35) Deed Book 271, Page 429; (36) Deed Book 261, Page 127;
- (37) Deed Book 272, Page 158; (38) Deed Book 261, Page 602;
- (39) Deed Book 271, Page 436; (40) Deed Book 271, Page 303;
- (41) Deed Book 272, Page 243; (42) Deed Book 272, Page 240;
- (43) Deed Book 272, Page 246; (44) Deed Book 272, Page 237;
- (45) Deed Book 272, Page 249; (46) Deed Book 271, Page 299;
- (47) Deed Book 272, Page 126; (48) Deed Book 272, Page 129;
- (49) Deed Book 272, Page 122; and, (50) Deed Book 280, Page 575,
- (51) See also conveyances from the "Underwood Heirs" recorded in Deed Book _____, page _____ and (52) Conveyance from "Doss Heirs" recorded in Deed Book _____, page _____.

016-742

379

326

THIS DEED OF CONVEYANCE, made and entered into this the 12th day of FEBRUARY, 1987, by and between ERNEST S. FULKERSON, a single man, of Rural Route #2, Central City, Muhlenberg County, Kentucky 42330, party of the First Part, and PEABODY COAL COMPANY, a Delaware corporation, with offices and chief place of business at 1951 Barrett Court (Post Office Box 1981), Henderson, Henderson County, Kentucky 42420, party of the Second Part,

W I T N E S S E T H :

That for and in consideration of the sum of THIRTY-TWO THOUSAND FIVE HUNDRED (\$32,500.00) DOLLARS, cash in hand paid by Second Party to First Party, the receipt of which is hereby acknowledged, the said party of the First Part has bargained and sold and does by these presents bargain, sell, alien and convey unto the said party of the Second part, its successors, grantees and assigns, the following property situated and located in Muhlenberg County, Kentucky, and described as follows:

Beginning at a rock, William Sharp's North-east corner, running thence with the public road S 21-50 W 158.5 feet, S 5-13 E 246 feet, S 0-9 W 577 feet, S 19-22 E 156.5 feet, S 22-40 W 255.5 feet to a stake or rock on the East side of the road; thence S 47 E 1120 feet to a point in Staples' line which is N 39-45 E 395 feet from his corner a small ash; thence N 39-45 E 1930 feet to a rock Staples' and Harper's corner; thence N 43-45 W 951 feet to a rock near the road, Harper's corner; thence N 77-4 W 1057 feet to the beginning, containing 52 acres.

There is EXCEPTED OUT of the above described property that lot conveyed to Johnnie Balls and wife, Diane Kay Balls, and survivor, by Ernest Fulkerson, single, by Deed dated April 6, 1979, of record in the office of the Muhlenberg County Court Clerk in Deed Book 333, page 403, and described as follows:

Beginning at a "x" on a rock on the east side of the Preacher King Road, said rock being the former southwest corner of a 52 acre tract owned by Ernest Fulkerson as of the date of this instrument and said rock having the general location of North 369,700 feet--East 1,622,100' on the Kentucky State Plane Coordinate System, thence with the east right of way of the Preacher King Road North 33 degrees 54 minutes 41 seconds East-94.78 feet to a point in the right of way; thence

North 25 degrees 35 minutes 50 seconds East-57.98 feet to a point in the right of way; thence North 15 degrees 51 minutes 12 seconds East-47.81 feet to a point in the right of way; thence North 7 degrees 51 minutes 54 seconds East-102.38 feet to a pipe; thence, leaving the road, South 69 degrees 20 minutes 01 second East-293.21 feet to a pipe; thence South 24 degrees 04 minutes 18 seconds West-417.87 feet to a pipe; thence North 45 degrees 18 minutes 37 seconds West-293.84 feet to the beginning containing 2.21 acres as per the survey of Jerry W. Southard--Registered Land surveyor #2082 and dated April 3, 1979.

The above described property is subject to a WATER TRANSMISSION AND DISTRIBUTION LINE EASEMENT twenty feet in width granted to Muhlenberg County Water District, by Ernest Fulkerson, on May 5, 1983, of record in the office of the said Clerk in Deed Book 355, page 863.

Being the same property conveyed to Ernest S. Fulkerson by Ernest S. Fulkerson and Joyce Fulkerson by Deed dated May 15, 1978, recorded in the office of the Muhlenberg County Court Clerk in Deed Book 329, page 329, and being Tract #3 in this Deed.

All coal, oil, gas and all other minerals, together with the right to mine and remove the same, were previously excepted, reserved and retained by and unto Greenville Coal Company in that conveyance dated September 1, 1920, to G. P. Arndell and wife, Pearl Arndell, and survivor, recorded in the office of the said Clerk in Deed Book 105, page 246.

TO HAVE AND TO HOLD, the above-described tract or parcel of land, together with all the appurtenances thereunto belonging or appertaining thereto, unto the said party of the Second Part, its successors, grantees and assigns, forever, with Covenant of GENERAL WARRANTY of Title.

IN TESTIMONY WHEREOF, the said party of the First Part has hereunto caused this instrument to be executed, on this the date first hereinabove written.

Ernest S. Fulkerson
Ernest S. Fulkerson

THIS INSTRUMENT
PREPARED
BY *William E. Payton*
WILLIAM E. PAYTON
ATTORNEY AT LAW
GREENVILLE, NY. 42345

STATE OF KENTUCKY,

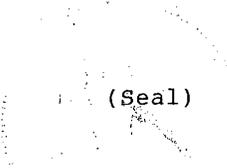
ss: 575-26-1757

MUHLENBERG COUNTY,

The foregoing Deed of Conveyance was acknowledged before me on this the 12th day of February, 1987, by Ernest S. Fulkerson, a single man.

Mark P. Williams
Notary Public

My commission expires: July 31, 1990



(Seal)

State of Kentucky, County of Muhlenberg, Sec. 1
MALCOLM WEST, Muhlenberg County Clerk do certify that the foregoing Deed was on the 13th day of Feb, 1987, duly recorded in my office for record, and that it has been duly recorded in my said office, together with this and the certificate thereon contained.

Given under my hand this 16th day of February, 1987

Malcolm West, Muhlenberg County Clerk
By Keitha Davis D.C.

025-236

16-236

025-236

THIS DEED OF CONVEYANCE made and entered into this the 22nd day of June, 1956, by and between Bert Devine and his wife, Marjorie Devine, of Central City, Muhlenberg County, Kentucky, parties of the First Part, and Sentry Royalty Company, a Nevada corporation, authorized to do business in the State of Kentucky, party of the Second Part,

W I T N E S S E T H:

That the said parties of the First Part for and in consideration of the sum of ONE DOLLAR (\$1.00), and other good and valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and do by these presents bargain, sell, alien and convey unto the party of the Second Part, its successors and assigns, the following described three tracts or parcels of land, located near Central City, in Muhlenberg County, Kentucky, and bounded as follows:

TRACT NO. 1: Beginning at a stake in Mrs. Monaghan's line, said stake bearing N. 64 W. 610.5 feet from a mine car axle, Mrs. Monaghan's Northeast corner; thence from said stake N. 21 degrees E. 842 feet to a stake; thence N. 0.30 degrees E. 721 feet to a stake on the North side of the road leading from South Carrollton to Kincheloe's ferry; thence with said road N. 89 W. 537 feet to a stake in the old line; thence with said old line S. 23 degrees W. 1268 feet to a stake; thence S. 64 E. 825 feet to the place of beginning, containing 23.9 acres.

TRACT NO. 2: Beginning at an iron pipe, R. C. Vaught's corner in Mrs. Monaghans line; thence with her line S. 64-00 E. 313 feet to an iron pipe; thence with the lands of the Central Land Company, N. 21-00 E. 965 feet to an iron pipe; thence further with said land Co's lands N. 64-00 W. 361.5 feet to an iron pipe in R. C. Vaught's line; thence with two of Vaught's lines S. 00-30 E. 132 feet to a stake; thence S. 21-00 W. 842 feet to the beginning, containing 7 acres.

Tract No. 2, above described is subject to the following: "There is reserved for the use and benefit of R. C. Vaught his heirs, successors and assigns, forever, the right to lay a pipe line underground and across the above described tract of land together with the right to enter upon said





land and maintain the same, from the Vaught Tract of 1.65 acres to the mouth of the Foley Slough on Green River, as set out in a deed of conveyance from Central Land Company to the said Vaught, dated January 22, 1926, and same is now of record in the office of the Muhlenberg County Court Clerk in Deed Book 121, page 78."

TRACT NO. 3: Beginning at the North East corner of the Perry Harris 7 acre tract, now owned by O. S. Turpin; thence N. 21-15 E. 1024.5 feet to an iron pin; thence N. 60-15 W. 205.5 feet to an iron pin on south line of road leading to Kincheloe Bluff, said pin being 30 feet Southwest from the Foley corner; thence with said road line S. 59-10 W. 610 feet to a stone on the Northeast corner of the Roscoe Vaught 23.9 acre tract, now owned by O. S. Turpin; thence S. 15 E. 589 feet to a stake, corner of the above 7 acre tract; thence S. 63-45 E. 361.5 feet to the beginning, containing 10.2 acres.

This being the same property conveyed to Bert Devine and his wife, Marjorie Devine, or the survivor, by Glen Swift and his wife, Louise Swift, by deed dated August 15, 1953, and now of record in the office of the Muhlenberg County Court Clerk in Deed Book 185, page 269.

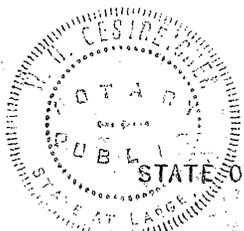
This conveyance covers and includes all adjoining lands and property of the Parties of the First Part, or either of them, regardless of any error, omission or irregularity in the foregoing descriptions or title reference. Also the parties of the First Part hereby quitclaim any and all interest owned by them, or either of them, in and to all coal and other minerals underlying the above described three tracts or parcels of land, to the party of the Second Part, its successors and assigns, forever.

The parties of the First Part agree to pay the 1956 taxes on the property herein conveyed.

TO HAVE AND TO HOLD, the above described property together with all the appurtenances thereunto belonging, or in any wise appertaining, unto the party of the Second Part, its successors and assigns, forever, with Covenant of General Warranty of Title.

IN TESTIMONY WHEREOF, the parties of the First Part have hereunto subscribed their names, all the day and year first herein above written.

Bert Devine
Bert Devine
Marjorie Devine
Marjorie Devine



STATE OF KENTUCKY,
SCT.
MUHLENBERG COUNTY,

I, W. H. Kesler, a Notary Public, within and for the County and State aforesaid, do hereby certify that the foregoing DEED OF CONVEYANCE from Bert Devine and his wife, Marjorie Devine, to Sentry Royalty Company, a Nevada corporation, was this day produced to me in my County and acknowledged before me in due form of law by the said Bert Devine and his wife, Marjorie Devine, parties Grantor thereto, to be their voluntary act and deed.

Given under my hand and seal of office this the 22nd day of June, 1956.

50

My commission expires: 26 Jan. 1958

W. H. Kesler
Notary Public, Muhlenberg County, Kentucky

State of Kentucky, Sgt.
Muhlenberg County,

I, John Webb, Clerk of the Muhlenberg County Court, certify that the foregoing Deed was legally lodged in my office for record 7-5-56 and the same, the foregoing, and this certificate, have been duly recorded therein.

Given under my hand, this the 24 day of July, 1956.

John Webb CLERK

1.4.29

025-262

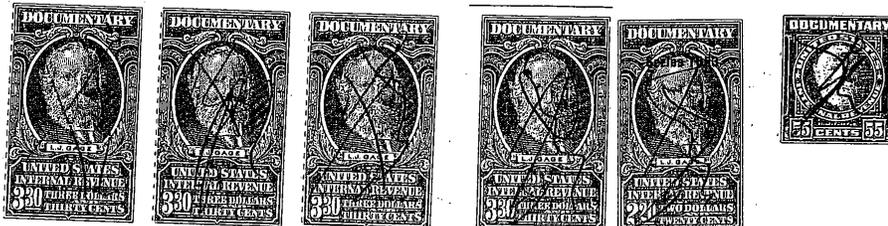
DEED OF CONVEYANCE

This is a Deed of Conveyance dated May 7, 1957, from EASTERN LAND COMPANY (hereinafter called the Grantor), a Kentucky corporation, to RIVER QUEEN COAL COMPANY (hereinafter called the Grantee), a Kentucky corporation.

1. For one dollar and other valuable consideration, the receipt of which is hereby acknowledged, the Grantor hereby conveys to the Grantee, its successors and assigns forever, Tract No. 1 located in Muhlenberg County, Kentucky, and described below, and Tract No. 2 located in Muhlenberg County, Kentucky, and described below, but excepting and reserving to the Grantor in respect of both Tract No. 1 and Tract No. 2 all coal, other minerals and mining rights, including, without limiting the foregoing, the right to use any underground passages which have been, or may hereafter be, made and constructed under Tract No. 1 or Tract No. 2 for the transportation of any coal or any other substance, irrespective of the origin of the coal or other substance, and irrespective of the purpose of such transportation. The captions of the tracts described below are intended solely to facilitate reference and shall not be considered in the interpretation or construction hereof.



98



1175
2070
21100

Tract No. 1 - DePoyster Barge Loading Site

BEGINNING at a fence corner in the North line of the Old Lewisburg Road, said corner being common to the lands formerly owned by Devine, Gish and Dixon, thence (a) along the North line of said road the following calls: (i) South 57 degrees 30 minutes West for 482.4 feet (formerly 500.0 feet), (ii) South 61 degrees 15 minutes West for 104.0 feet, (iii) North 88 degrees 00 minutes West for 515.0 feet; (iv) North 85 degrees 00 minutes West for 28.0 feet, to the Northeast corner of the Eaves property; (b) leaving the road North 22 degrees 30 minutes East for 1535.6 feet to the Normal Pool line of Green River; (c) with the river South 76 degrees 15 minutes East for 630.0 feet; (d) leaving the river South 4 degrees 30 minutes West for 280.0 feet; (e) South 9 degrees 00 minutes West for 395.0 feet; and (f) South 11 degrees 45 minutes West for 320.0 feet to the place of beginning. Containing 24.61 acres, more or less.

Tract No. 2 - DePoyster West of Highway

BEGINNING at a stake in the West right-of-way line of U.S. 431, said point being the Northeast corner of the Noffsinger Tract and the Southeast corner of this survey; thence (a) along the West right-of-way line of U.S. 431, the following courses and distances: (i) North 17 degrees 00 minutes West for 100.0 feet, (ii) North 33 degrees 00 minutes West for 100.0 feet, (iii) North 47 degrees 30 minutes West for 100.0 feet, (iv) North 52 degrees 45 minutes West for 100.0 feet, and (v) North 49 degrees 00 minutes West for 167.5 feet; (b) leaving the Highway South 81 degrees 16 minutes West for 1195.0 feet; (c) on a curve to the left having a radius of 1985.08 feet, the long chord of which is South 78 degrees 23 minutes West, 196.35 feet to a stake in Wiggins line; (d) South 10 degrees 00 minutes East for 144.0 feet to a black oak; (e) South 12 degrees 30 minutes East for 269.0 feet to a fence post; (f) South 8 degrees 00 minutes East for 193.0 feet to an elm tree; (g) North 65 degrees 00 minutes East for 651.50 feet to a fence corner; (h) South 81 degrees 45 minutes East for 153.0 feet to a stake; (i) North 78 degrees 15 minutes East for 743.0 feet to a black oak; (j) South 18 degrees 00 minutes East (formerly South 38 degrees 00 minutes East) for 62.0 feet; and (k) North 70 degrees 30 minutes East for 148.0 feet to the place of beginning. Containing 17.44 acres, more or less.

2. The next immediate source of title through which the Grantor derived title to the property, or the interest therein, hereby conveyed is a Deed from John M. Dixon, et al., dated January 21, 1956, and recorded in Deed Book 195, page 345, in the Muhlenberg County Court Clerk's office.

3. This conveyance is made with Special Warranty; but the conveyance is subject to, and there is excepted from that Special Warranty, (a) a Lease dated as of February 1, 1956, between Eastern Land Company and John M. Dixon, as supplemented by (i) letter dated January 10, 1956, from Eastern Land Company to John M. Dixon, (ii) letter dated February 15, 1956, from Eastern Land Company to John M. Dixon, and (iii) letter dated February 1, 1956, from Eastern Land Company to John M. Dixon; (b) an Easement Indenture between Eastern Land Company and Ashland Oil & Transportation Company, dated February 1, 1956, and recorded in Deed Book 195, page 528, in the Muhlenberg County Court Clerk's office; and (c) State, County and School taxes for the year 1957, which the Grantee assumes and agrees to pay.

8.2.2 Adjacent Property Ownership Map

**SB 257 4(2)(c)1
SB 257 5(3)(a)2**

**CLASSIFIED DOCUMENT
(withheld by Siting Board)**

8.2.4 Location of Buildings

SB 257 Section 5(3)(a)4

8.2.4 Location & Building Plan Map

SB 257 5(3)(a)4

**CLASSIFIED DOCUMENT
(withheld by Siting Board)**

8.2.5 Location of Access Ways and Internal Roads

SB 257 Section 5(3)(a)5

8.2.5 Access Roads & Rail Siding

SB 257 5(3)(a)5

**CLASSIFIED DOCUMENT
(withheld by Siting Board)**

8.2.6 Utilities to Service the Facility

SB 257 Section 5(3)(a)6

Also see Site Map 8.1

Municipal Water and Sewer System

208 North 1st Street • P. O. Box 430 • Central City, KY 42330 • Phone (502) 754-3066 • Fax (502) 754-9711

October 9, 2001

Attn: K. E. Allen
Peabody Coal Company
P. O. Box 148
Graham, KY 42423

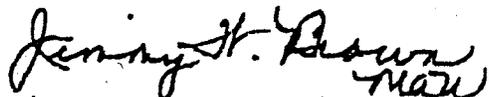
Dear Mr. Allen:

We are happy to state that the request for 15,000 gallons per day of potable water with comparable sewer needs is well within the capacity of our treatment plants. Connection for the potable water line exists on the Peabody property haul road. The sewer connection will be made on Hwy 277 near the Green River Correctional facility.

If we can be of any further assistance, please let me know.

Respectfully,

MUNICIPAL WATER & SEWER SYSTEM


Jimmy W. Brown, Superintendent

JWB/maw